

The Gazette



of India

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No. 20] NEW DELHI, SATURDAY, MAY 16, 1953

## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 9th May 1953 —

Issue No.	No. and date	Issued by	Subject
103	S. R. O. 823, dated the 27th April 1953.	Election Commission India.	Election Petition No. 138 of 1952.
	S. R. O. 824, dated the 27th April 1953.	Ditto	Election Petition No. 163 of 1952.
104	S. R. O. 825, dated the 1st May 1953.	Ministry of States	The President is pleased to recognise Brigadier His Highness Maharao Shri Sir Bhim Singhji Bhadur, K.O. S.I. Maharao of Kotah, as the person Competent to exercise the Powers of the Rajpramukh in relation to State of Rajasthan.
105	S. R. O. 826, dated the 2nd May 1953.	Election Commission India.	Occurance of a vacancy in the seats allotted the Madras in the Council of States and calling upon elected members of the Legislative Assembly of the state of Madras to fill the same before the 6th June 1953.
	S. R. O. 827, dated the 2nd May 1953.	Ditto	Fixation of certain dates as the last date for making nominations, for the scrutiny of nominations and for the withdrawal of candidature, etc.
	S. R. O. 828, dated the 2nd May 1953.	Ditto	Designation made by the Election Commission of the Secretary State Legislature, to be the Returning officer for the bye-election to the Council of States.

Issue No.	No. and date	Issued by	Subject
	S. R. O. 829, dated the 2nd May 1953.	Election Commission India.	Appointment made by the Election Commission of the Assistant Secretary, State Legislature, to assist the Returning Officer for the bye-election to the Council of States.
106	S. R. O. 830, dated the 29th April 1953.	Ditto	Election Petition No. 90 of 1952.
	S. R. O. 831, dated the 29th April 1953.	Ditto	Election Petition No. 143 of 1952.
107	S. R. O. 832, dated the 1st May 1953.	Ditto	Election Petition No. 221 of 1952.
108	S. R. O. 833, dated the 6th May 1953.	Ministry of States	The President passed an order regarding the Manipur (Council of Advisers) order 1953.
109	S. R. O. 834, dated the 6th May 1953.	Election Commission India.	Fixation of certain dates as the date on which a poll shall if necessary, be taken at the Election to be held in the Bhagalpur-cum-Purnea Parliamentary Constituency in the State of Bihar.
	S. R. O. 835, dated the 6th May 1953.	Ditto	Appointment made by the Election Commission of Shri Ramjiwan Sinha, District Judge, Bhagalpar, to be the Chairman of the Tribunal.
110	S. R. O. 836, dated the 7th May 1953.	Ministry of Finance (Revenue Division)	The Central Government hereby exempts raw flax, both 'Line' and 'tow' imported into India, from the whole of the customs duty.
111	S. R. O. 837, dated the 7th May 1953.	Ditto	The Central Government hereby prohibits the bringing into India of all issues of the "Millat", a Gujrati daily newspaper, printed and published at Karachi in Pakistan.
112	S. R. O. 877, dated the 8th May 1953.	Ministry of Law	The Central Government hereby fixes the hours from 8 A.M. to 5 P.M., as the hours during which the poll shall be taken in the Bhagalpur-cum-Purnea Parliamentary Constituency in the State of Bihar.
113	S. R. O. 878, dated the 8th May 1953.	Ministry of Food & Agriculture	Certain amendments [made in the Cotton-seed (Control) Order, 1952.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

## PART II—Section 3

**Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).**

## ELECTION COMMISSION, INDIA

*New Delhi, the 7th May 1953*

**S.R.O. 884.**—In pursuance of sub-rule (5) of rule 114 of the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1951, the name of the person shown in column 1 of the Schedule below who having been nominated as a candidate for election to the House of the People from the constituency specified in column 3 thereof, and the name of the person specified in column 2 of the said Schedule who having acted as the election agent of the candidate specified in column 1, have, in accordance with the decision given by the Election Commission under sub-rule (4) of the said rule, failed to lodge the return of election expenses in the manner required and have thereby incurred the disqualifications under clause (c) of section 7 and section 143 of the Representation of the People Act, 1951 (XLIII of 1951), are hereby published:—

## SCHEDULE

Name of the candidate	Name of the election agent	Name of constituency
1	2	3
Shri Sridhar Vaman Naik	Shri Purshottam Rao Chausalkar <i>alias</i> Raja- bhai Chausalkar	Bhir.

[No. HY-P/52(32).]

P. N. SHINGHAL, Secy.

## MINISTRY OF LAW

*New Delhi, the 6th May 1953*

**S.R.O. 885.**—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President hereby directs that the following further amendments shall be made in the notification of the Government of India in the Ministry of Law No. S.R.O. 215, dated the 9th February, 1952, relating to the execution of contracts and assurances of property, namely:—

1. In Part VII of the said notification,

(i) In Head A for the words "In the case of Treasuries, Accounts and Audit Offices:—" the words "In the case of Treasuries:—" shall be substituted.

(ii) Under Head A items 2 and 3 shall be omitted and the existing items 4 to 8 shall be renumbered as items 2 to 6 respectively.

2. After Part XXI of the said notification, the following Part shall be inserted namely:—

"XXIA.—In the case of the Indian Audit and Accounts Department:—

1. Security bonds or mortgage deeds given as security in connection with the employment of Treasurers, Cashiers or Clerks charged with the disbursement of money or the custody and handling of securities; by the Head of the Office.

2. Instruments relating to the reassignment of insurance policies which are assigned to the Governor-General before the 26th January, 1950 and the President on or after that date in accordance with the rules regulating the Provident Fund from which the policy is financed; *by the Account Officer of the Fund, as defined in the rules of the Fund.*

3. (a) All instruments relating to purchase or conveyance of materials, office furniture, and other equipment;

(b) Leases or agreements for the hire of buildings for office or residential purposes of the Department; *by the Head of the Office.*

4. Contracts, agreements and other instruments relating to the advances granted by the Comptroller and Auditor General of India to Government servants in the India Audit and Accounts Department for the purchase of motor cars or houses or for building houses; *by the Comptroller and Auditor General of India or the Deputy Comptroller and Auditor General of India.*

5. Contracts, agreements and other instruments relating to advances for purchasing or building houses sanctioned by any other authority in the Indian Audit and Accounts Department; *by the authority sanctioning the advance.*

6. All deeds and instruments relating to any matters other than those specified in items 1 to 5; *by the Comptroller and Auditor General of India or the Deputy Comptroller and Auditor General of India."*

[F. 32-III/52-L.]

G. J. BHAVNANI, Dy. Secy.

#### MINISTRY OF STATES

*New Delhi, the 11th May 1953*

**S.R.O. 886.**—In exercise of the powers conferred by Entry 2(b) of the Table annexed to Schedule I to the Indian Arms Rules, 1951, the Central Government is pleased to specify Her Highness the Senior Maharani Satya Prem Kumari of Mysore, a member of the family of His Highness the Maharaja of Mysore, for the purposes of that entry.

[No. 78-D.]

H. C. MAHINDROO, Under Secy.

#### ORDER

*New Delhi, the 9th May 1953*

**S.R.O. 887.**—In exercise of the powers conferred by Article 239 of the Constitution and sub-clause (a) of Section 28(3) of the Government of Part C States Act, 1951 (XLIX of 1951) and of all other powers enabling him in that behalf, the President is pleased to make the following order, namely—

1. (1) This order may be called the Chief Commissioner of Bhopal (Salary and Allowances) (Amendment) Order, 1953.

(2) It shall come into force at once.

2. For paragraph 5 of the Chief Commissioner of Bhopal (Salaries and Allowances) Order, 1953 (hereinafter referred to as the said order), the following shall be substituted, namely—

"5. (1) The Chief Commissioner shall, throughout his term of office, be entitled without payment of rent or hire to the use of a furnished house.

(2) The gardens and grounds attached to the Chief Commissioner's residence shall be maintained by Government, subject to recovery being made from the Chief Commissioner at the rate of 1½ per cent. (one and a half per cent.) per mensem of his salary specified in paragraph 3 of this Order towards cost of such maintenance."

3. For paragraph 6 of the said Order, the following shall be substituted, namely—

"6. (1) The Chief Commissioner shall be entitled upto the 15th day of April 1953 to the free use of a State Car to be maintained by the Government.

(2) With effect from the 16th April 1953 and throughout his term of office there shall be paid to the Chief Commissioner a car allowance at the rate of Rs. 200 per mensem."

NOTE.—The term "maintenance" includes the cost of a driver, expenditure on petrol, repairs and other incidental charges.

[No. 75-PA.]

V. VISWANATHAN, Joint Secy.

**MINISTRY OF FINANCE**  
(Department of Economic Affairs)

*New Delhi, the 8th May 1953*

**S.R.O. 888.**—In exercise of the powers conferred by section 4 of the Rehabilitation Finance Administration Act, 1948 (XII of 1948), and in supersession of the notification of the Government of India, in the Ministry of Finance, No. F.10(25)-F.I/52, dated the 3rd October, 1952, the Central Government hereby appoints Shri R. Narayanaswami, Joint Secretary to the Government of India in the Ministry of Finance, as a member of the Rehabilitation Finance Administration, *vice* Shri S. Ratnam.

[No. F.10(25)-F.I/52.]

F. C. DHAUN, Under Secy.

**MINISTRY OF FINANCE (REVENUE DIVISION)**

HEADQUARTERS ESTABLISHMENTS

*New Delhi, the 5th May 1953*

**S.R.O. 889.**—The following notification by the Income-tax Investigation Commission is published for general information:

"NOTIFICATION

It is notified for general information that the Income-tax authorities mentioned in column (1) of the table attached to this notice have been authorised by the Income-tax Investigation Commission, without prejudice to their regular duties, to execute the powers of Authorised Official under Section 6 of the Taxation on Income (Investigation Commission) Act, 1947, and that under the provisions of the said Act, any person (including a person whose case is not under investigation) who is required by them in the course of their investigation.

(1) to produce accounts or documents;

and/or (2) to give information in respect of such accounts, or documents;

and/or (3) to attend in person and answer questions on oath;

and/or (4) to make or prepare statements on oath giving information on specific matters,

shall be bound to comply with their requirements notwithstanding anything in any law to the contrary. Failure to comply with their requirements may amount to an offence under Chapter X of the Indian Penal Code.

Name of the Income-tax authority	Address of the Headquarters office of the Income-tax authority
1. Shri K. P. Sinha, (Officer on Special Duty, Income-tax Investigation Commission).	Avenue House (2nd Floor) 1/C, Chowringhee Square, Calcutta.
2. Major S. C. Chaudhuri, (Officer on Special Duty, Income-tax Investigation Commission).	Avenue House (2nd Floor) 1/C, Chowringhee Square, Calcutta.

(Sd.) RAMA NAND JAIN, *Secretary,*  
Income-tax Investigation Commission.

New Delhi, 28th April 1953.

[No. 40.]

N. D. MEHROTRA, Dy. Secy.

## CUSTOMS

*New Delhi, the 8th May 1953*

**S.R.O. 890.**—In exercise of the powers conferred by section 6 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby appoints Superintendents, Deputy Superintendents, Inspectors and Supervisors, borne on the Establishment of the Madras Central Excise Collectorate, who have jurisdiction over the private bonded warehouse of Messrs. Tobacco Manufacturers (India) Limited, situated at Fraser Town, Bangalore (Mysore), to be officers of Customs and to exercise the powers conferred and perform the duties imposed by the said Act on such officers.

[No. 31.]

E. RAJARAM RAO, Joint Secy.

## CENTRAL BOARD OF REVENUE

## CUSTOMS

*New Delhi, the 8th May 1953*

**S.R.O. 891.**—In exercise of the powers conferred by section 9 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue makes the following rules, namely:—

1. The Collector of Central Excise, Madras, Shall exercise all the power conferred by Chapter XI of the Sea Customs Act, 1878 (hereinafter referred to as the said Act) on a Chief Customs Officer or a Customs Collector in respect of the private bonded warehouse of Messrs. Tobacco Manufacturers (India) Limited, situated at Fraser Town, Bangalore (Mysore).

2. The Assistant Collector of Central Excise in charge of the Mysore Division of the Madras Central Excise Collectorate, shall exercise all the powers conferred by Chapter XI of the said Act on a Customs Collector in respect of the aforesaid warehouse.

[No. 32.]

**S.R.O. 892.**—In exercise of the powers conferred by section 4 of the Land Customs Act, 1924 (XIX of 1924), the Central Board of Revenue hereby directs that the following further amendment shall be made in its Notification No. 21-Customs, dated the 2nd February 1952, namely:—

In the Schedule annexed to the said notification under the heading 'DAMAN FRONTIER' in column 2 against entry No. 5 for the words 'The cart track to the north of Chawki No. 24 of the Namdha Beat' the words 'The cart track to the South West of Chawki No. 25 at gate No. 25 of the Namdha Beat' shall be substituted.

[No. 33.]

*New Delhi, the 16th May 1953*

**S. R. O. 893.**—In exercise of the powers conferred by section 9 of the Sea Customs Act, 1878 (VIII of 1878), and all other powers enabling it in that behalf, the Central Board of Revenue hereby makes the following rules for the printing, colouring, cutting and fabricating of certain raw materials, card board, printing paper, ink, varnish, gum, imported and warehoused in bond under the provisions of section 92 of the said Act for the purpose of packing and wrapping of manufactured cigarettes.

## RULES

1. (1) An application for permission generally to print, colour, cut and fabricate card board in bond and to remove from the manufacturer's warehouses licensed under section 16 of the Sea Customs Act, 1878 (VIII of 1878) (hereafter referred to as the said Act), read with section 4 of the Inland Bonded Warehouse Act, 1896 (VIII of 1896) shall be made to the Central Board of Revenue through the Collector of Customs.

(2) Where permission has been granted generally by the Central Board of Revenue under rule (1) the Collector of Customs may allow bonding and re-bonding of the entire factory or parts thereof in such manner as he thinks fit as and when applied for.

2. All persons and companies obtaining such permission shall enter into a bond in the form set out in the appendix to these rules binding themselves:—

(I) to provide the bonded factory and any rooms as may be required to the satisfaction of the Customs Collector.

(II) to provide such Officers (including furniture and fittings) as may be required by the Customs Collector for his staff.

(III) to observe all such rules as may be prescribed in respect of Printing, Colouring, Cutting and Fabricating cardboard in bond.

(IV) to observe all the conditions of the license for a private warehouse granted under section 16 of the said Act.

(V) to maintain a detailed account of all materials consumed in the operations in bond and to keep such accounts open to inspection by officers of Customs whenever demanded.

(VI) to submit a detailed statement of all materials used whenever required by the Customs Collector.

(VII) to pay on demand all duties and charges together with interest, if any, at 6 per cent. per annum on the same from the date of such demand in respect of cardboard and other materials imported and used for the packing and wrapping of cigarettes, which have not been accounted for to the satisfaction of the Customs Collector and to discharge all penalties incurred for the violation of the rules framed for this purpose.

(VIII) to pay the salaries including allowances, leave and pensionary charges of such establishment as may from time to time be appointed by the Central Board of Revenue for the supervision of such operations.

(IX) to provide distinguishing marks on the cardboard containers to enable a check to be kept.

(X) to observe all such supplementary rules which the Chief Customs Officer may, consistent with these rules, notify from time to time for such operations.

3. In the case of fraud committed or attempted to be committed by the bonders or by any person in their employ, the Bond shall be liable to forfeiture, in addition to any other penalty that may be imposed under sub-section (1) of section 167 of the said Act.

4. (1) An approved applicant (hereinafter referred to as the manufacturer) shall whenever he desires to take imported cardboard or other materials from his warehouse for the printing, colouring, cutting and fabricating containers in bond submit a written application to the Customs Collector specifying the date and time proposed for the operation, the quantity of cardboard and materials required, the marks of the packages from which withdrawals are to be made and the particulars of the bond under which the goods were warehoused on first importation. Such applications which shall be termed "Issue applications", shall in every case be accompanied by,

(a) a fresh bond in terms of section 92 of the said ACT for the goods to be withdrawn under the Issue application (the date of this bond to be the date of the earliest bond covering the goods or any part of the goods required for the operations);

(b) a factory warehousing Bill of Entry for goods covered by the Issue application ;

(c) a statement showing separately the various non-duty-paid and domestic (including duty-paid) materials intended to be used in the operation.

NOTE.—No drawback is permissible on duty-paid materials used in the operation in bond.

(2) The Customs Collector shall thereupon cause a record of the particulars furnished in the Issue Application to be made in a register to be maintained for the purpose and after recording the particulars shall send the Issue Application to the Officer-in-charge of the factory (hereinafter referred to as the Bond Officer).

(3) When the factory is continuously employed on manufacturing operations in bond, the Customs Collector may authorise the Bond Officer to receive such Issue Applications on his behalf. When the manufacturer makes the application direct to the Bond Officer, the application shall be made in duplicate to enable the duplicate copy to be forwarded to the Customs Collector.

5. (1) On receipt of the Issue Application the Bond Officer shall, after he has checked the bonded materials withdrawn from each package and recorded all such withdrawals in the register to be maintained for the purpose, permit removal of such materials to that portion of the factory in which they are required. Domestic (including duty paid) materials specified in the Issue Application shall be allowed by the Bond Officer to be brought into the Factory for use in connection with the operations in the warehouse. No domestic material shall otherwise be brought into the factory.

(2) The Collector of Customs may make regulations from time to time restricting or prescribing conditions for the use of such bonded materials in the factory as may require to undergo a process of manufacture before they are ready to be used in the operations for printing, colouring, cutting and fabricating cardboards etc.

(3) The machinery necessary in the Factory for printing, colouring, cutting and fabricating of cardboard etc., and all consumable articles needed in the course of manufacturing operations and also for maintenance must either be indigenous or have had duty paid thereon.

6. The cardboard containers shall have certain distinguishing marks to be easily identified.

7. After the printing, colouring, cutting and fabricating of the card-board containers they will be sent to the cigarette factory as required and detailed records thereof maintained by the Bond Officer.

8. The Bond Officer shall maintain a Register for all wastages in the course of manufacturing operations on which duty shall be payable by the manufacturer.

9. (1) The Bonded Factory shall be under Customs supervision at all times when work is proceeding and the manufacturer shall bear the cost of such supervision.

(2) All rooms including doors and windows of the printing department shall, when in use for the printing, colouring, cutting and fabricating of cardboard in bond be padlocked and the keys shall remain in the custody of the Bond Officer or any other officer of the customs authorised in this behalf by the Customs Collector.

10. (1) On ordinary working days the hours of work shall be any continuous period of 8 hours between 6 A.M. and 6 P.M. as may be convenient to the manufacturer. Overtime fees shall be payable by the bonders for any work in excess of this period. Attendance of the Bond Officer or any other officer of Customs required outside these hours may be arranged for on timely notice being given to the Customs Collector or such officer authorised to receive these applications and on payment of the usual overtime fees.

(2) Work on holidays, other than closed holidays, may also be permitted subject to the payment of overtime fees.

(3) Work will ordinarily not be permitted on Sundays and closed holidays, but may in exceptional circumstances be permitted by the Customs Collector on payment of overtime fees at the rate of Rs. 2 per hour per officer (including the Bond Inspector, who exercises general supervision over all bond work performed at the port) subject to a minimum of Rs. 10 per Officer or Inspector.

## APPENDIX

### FORM OF BOND

Know all men by these presents that.....I/We.....and now of.....am/are bound to the President of India in the sum of rupees.....to be paid to the President of India on demand for which payment

I bind myself, my heirs and legal representatives.

We bind ourselves and each of us, our and each of our heirs and legal representatives.

I do hereby for myself, my heirs and legal representatives

And We do hereby for ourselves and each of us, our and each of our heirs and legal representatives covenant with the President of India his successors and assigns that if any suit shall be brought touching the subject matter of this obligation on the condition hereunder written in any Court subject to the superintendence of the High Court of Judicature at.....other than the said High Court in its original jurisdiction the same shall and may at the instance of the President of the Indian Union be removed into, tried and determined by the said High Court in its extra-ordinary original jurisdiction. Sealed with my/our seal(s) dated this..... day of

Whereas the above bounden.....has/have applied to the Central Board of Revenue and obtained permission to remove from the Custom House at.....to the bonded printing factory at Agarpara all the materials (or such portion thereof as may be required) which the said.....may from time to time import from foreign ports without payment of the duty payable thereon under the Indian Tariff Act, 1934 (XXXII of 1934), for printing, colouring, cutting and fabricating of raw materials such as cardboard, printing paper, ink, varnish, gum for packing and wrapping manufactured cigarettes under Customs supervision in the aforesaid bonded factory.

Now the condition of this bond is that if the said.....shall.....provide a bonded factory to the satisfaction of the Central Board of Revenue at.....

And if the said.....shall observe all the rules prescribed in the Sea Customs Act, 1878 (VIII of 1878) and Section 4 (1) of the Inland Bonded Warehouse Act, 1896 (VIII of 1896), to be observed by owners of goods warehoused and by persons obtaining permission to warehouse goods under the provisions thereof and all rules now or hereafter to be prescribed in respect of bonded printing factories.

And if the said.....shall pay to the Officer-in-Charge of the Custom House at the Port all dues whether Customs duties, warehouse dues, rent or other lawful charges which shall be demandable on the said goods or on account of penalties incurred in respect to them within.....from the date of demand thereof being made in writing by the said Officer-in-Charge of the Custom House or within such further time as the Chief Customs Authority shall allow in that behalf together with interest on every such sum at the rate of 6 per cent. per annum from the date of such demand.

And if within the terms so fixed or enlarged in respect of the said goods or any part or thereof having been removed from the said printing factory for home consumption and for re-exportation by sea the full amount of all Customs duties, warehouse dues, rent and other lawful charges, penalties and interest demandable as aforesaid shall have been first paid on the whole of the said goods.



And if the said.....shall pay the emoluments etc., of such establishment as shall from time to time be appointed by the Central Board of Revenue for the supervision of such manufacturing operations as aforesaid.

Then this obligation shall be void.

Otherwise and on breach or failure in the performance of this condition or any part thereof the same shall be in full force.

Signed and delivered by the above

bounden in the presence of.....

A. K. MUKARJI, Secy.

## MINISTRY OF COMMERCE AND INDUSTRY

(TRADE MARKS)

New Delhi, the 16th May 1953

**S.R.O. 891.**—In exercise of the powers conferred by section 84 of the Trade Marks Act, 1940 (V of 1940) read with section 22 of the General Clauses Act, 1897 (X of 1897), the Central Government hereby directs that the following further amendments shall be made in the Trade Marks Rules, 1942, the same having been previously published as required by sub-section (1) of the first mentioned section:—

In the said Rules—

1. For sub-rule (3) of rule 1, the following sub-rule shall be substituted, namely:—

“(3) They extend to the whole of India except the State of Jammu and Kashmir.”

2. In rule 2, for clause (f), the following clause shall be substituted, namely:—

“(f) “Branch Registry” means a Branch of the Trade Marks Registry established under rule 141B.”

3. In rule 9, the word “British” wherever it occurs, shall be omitted.

4. In rule 21, after the words “a trade mark”, the words “or a certification trade Mark” shall be inserted.

5. For rule 23, the following rule shall be substituted, namely:—

“23. *Search.*—Upon receipt of an application for the registration of a trade mark in respect of any goods the Registrar shall cause a search to be made amongst the registered trade marks and amongst the pending applications for the purpose of ascertaining whether there are on record in respect of the same goods or description of goods any marks identical with the mark sought to be registered or so nearly resembling it as to render it likely to deceive or cause confusion, and the Registrar may cause a search to be renewed at any time before the acceptance of the application but shall not be bound to do so.”

6. In rule 31, the words, letters and figures “under this Act or on the Register of any Part B State to which Section 82A for the time being applies”, shall be omitted.

7. In sub-rule (1) of rule 33, for the word “further” the word “any” shall be substituted.

8. Rule 67A shall be omitted.

9. In sub-rule (5) of rule 75 after the words and figures “rules 32 to 39”, the words “*mutatis mutandis*” shall be inserted.

10. In rule 86—

(a) after the words “The Register”, the word “and” shall be inserted;

(b) the words, letters and figures “copies of the Registers and of the Refused Textile Marks Lists of Part B States to which section 82A for the time being applies, and the lists relating to trade marks deposited under Section 85”, shall be omitted.

11. In rule 86A—
  - (a) for the words "Registers" and "Lists", the words "Register" and "List" shall respectively be substituted;
  - (b) the words, figures and letters "under this Act or under the Trade Marks Act of any Part B State to which section 82A for the time being applies" shall be omitted.
12. After rule 105, the following rule shall be inserted, namely—
 

"105A. *Amendment of the Refused Textile Marks List.*—An application for amendment of an entry relating to the name, address or description of the proprietor of a refused mark entered in the Refused Textile Marks List, shall be made on Form TM-16. If the Registrar is satisfied that it would be just and proper to allow the amendment he may accept the application in which case the entry shall be amended accordingly."
13. In rule 108—
  - (a) the words, figures and letters "copies of the Registers and of the Refused Textile Marks List of Part B States to which section 82A for the time being applies, the Lists of deposited trade marks", shall be omitted.
  - (b) for the words and letter "applications for registration pending under this Act or under the Trade Marks Act of any Part B State as aforesaid" the words "pending applications for registration" shall be substituted.
14. In rule 109, for the brackets and words "(other than a mark consisting of a word or words or letters or numerals or any combination thereof" the brackets, words and figures "(other than a trade mark to which rule 100, 101 or 102 applies)" shall be substituted.
15. In rule 113—
  - (a) in clause (a), after the words "six digits" the words "not being a balanced numeral" shall be inserted;
  - (b) in clause (b), after the words "six letters" the words "not being a balanced numeral" shall be inserted;
  - (c) clause (g) shall be omitted;
  - (d) in clause (j), after the words "different person" the words "in respect of the same goods or description of goods" shall be inserted.
16. For clause (m) of sub-rule (1) of rule 114, the following clause shall be substituted, namely:—
 

"(m) in the case of a combination consisting of a numeral and a fraction in at least one corresponding numeral digit."
17. In rule 115, after the words "conditions and restrictions laid down" the words, figures and letter in brackets "(j) of rule 113 or" shall be inserted.
18. For clause (b) of sub-rule (1) of rule 128, the following clause shall be substituted, namely:—
 

"(b) 'Graduate' means a graduate of a University established by law in India, Pakistan or Burma, or of a University in Great Britain or Northern Ireland."
- Explanation.*—In this clause 'India' includes the State of Jammu and Kashmir.
19. In rule 130 for the words "the Dominion of India" the word "India" shall be substituted.
20. In clause (iv) of rule 131 for the words and letter "the whole of India except Part B States", the word "India" shall be substituted.
21. Rule 141A shall be omitted.
22. In the title of Part V of the Rules, for the words "the Calcutta Branch" the words "Branch Registries" shall be substituted.
23. In Part V of the Rules, the following new Rule shall be added:—
 

"141B. *Branch Registry.*—The Central Government may establish a Branch Registry at any place in the territory to which the Act extends.

24. For Rule 142, the following rule shall be substituted:

"142. *Administration of Branch Registries.*—Each Branch Registry shall be in charge of a Deputy Registrar of Trade Marks or such other officer as the Central Government may appoint, who shall act under the control and superintendence of the Registrar."

25. In rule 143 for the words "the Calcutta Branch", the words "a Branch Registry" shall be substituted.

26. For rule 144, the following rule shall be substituted, namely:—

"144. *Inspection of copy of Register, etc.*—A copy of the Register and of the Refused Textile Marks list shall be available for inspection on payment of the prescribed fee, at such Branch Registry as has been provided with such copy, and at such times, on all days on which the Branch Registry is not closed to the public, as may be fixed by the Registrar."

27. For rule 145, the following rule shall be substituted:—

"145. *Hearing at a Branch Registry.*—(1) Where an application for the Registration of a trade mark has been made at a Branch Registry, the application shall in the event of a hearing becoming necessary and if the applicant so desires, be heard at the Branch Registry concerned:

Provided that in the event of the Registrar having to deal with more than one application at one hearing, it shall be in the discretion of the Registrar to direct the hearing of the application at Bombay, or at the Branch Registry concerned.

(2) Where the hearing has taken place at a Branch Registry, the decision in respect thereof shall be pronounced at the Branch Registry concerned."

28. In the First Schedule—

- (a) in entry No. 25A, for the word and figures "Section 23", the word and figures "section 38" shall be substituted;
- (b) in entry No. 54, after the words "For each additional registration" the brackets and words "(the registered mark and the addition or alteration thereto being the same in each case)", shall be inserted;
- (c) in entries Nos. 60 and 61 after the words "In each class" the words "or in each item of the Fifth Schedule, as the case may be" shall be inserted;
- (d) in entry No. 65, for the words "permission to amend application", the word "amendment" shall be substituted;
- (e) in entry No. 68, after the words "every quarter of an hour" the words "or part thereof" shall be inserted.

29. In the Second Schedule—

(a) In the list of Forms—

- (i) in the second column of the entry relating to Form TM-2, the word and figures "rule 109" shall be inserted;
- (ii) in the third column of the entry relating to Form TM-16, for the words "permission to amend application" the word "amendment" shall be substituted;
- (iii) in the third column of the entry relating to Form TM-19, for the words "British India", the word "India" shall be substituted;
- (iv) in the entry relating to Form TM-51, in the third column, for the words "in combination with numerals or letters or both" the brackets and words "(not being an invented word or invented words)" shall be substituted and in the fourth column for the figure and letter "7A" the figures, word and letter "7 and 7A" shall be substituted;
- (v) in the entry relating to Form TM-52, in the fourth column, for the figure and letter "6A" the figures, word and letter "6 and 6A" shall be substituted;
- (vi) in the entry relating to Form TM-53 in the fourth column, for the figure and letter "8A" the figures, word and letter "8 and 8A" shall be substituted.

(b) in the forms set forth in the Second Schedule—

- (i) in Form TM-1, for the words "four others" the words "six others" shall be substituted;
- (ii) in Form TM-2, after the words and brackets "(not being an invented word or invented words) or" the words "a mark consisting exclusively of" shall be inserted;
- (iii) in Form TM-3, the footnote "An application made in respect of textile goods should be accompanied by six representations of the trade mark, by a Statement of case in triplicate and also by a duplicate of the application" shall be omitted;
- (iv) in Form TM-5 for the words "British India", the word "India" shall be substituted and in footnote (b) the words, figures and letters "under this Act or on the Register of any Part B State to which section 82A for the time being applies" shall be omitted;
- (v) in Form TM-6, for the words "To be filed in triplicate" the words: "To be filed in duplicate" shall be substituted;
- (vi) in Form TM-7, and TM-10, for the words "Calcutta Branch of the Trade Marks Registry" below the words "Trade Marks Registry", the words "Branch Registry" shall be substituted;
- (vii) in Forms TM-8, TM-9 and TM-10, for the words "at the Calcutta Branch of the Trade Marks Registry, Calcutta", the words "at a Branch Registry" shall be substituted;
- (viii) in Form TM-11, in the marginal heading relating to fee, the figures: "26" where they occur for the first time shall be omitted;
- (ix) in Form TM-12, for the words "three months" in the footnote the words "six months" shall be substituted;
- (x) in Form TM-16, in the heading for the words "permission to amend application", the words "amendment" shall be substituted and for the figures and word "64 and 69" the figures, word and letter "64, 69 and 105A" shall be substituted;
- (xi) in Form TM-19, for the words "British India" in the heading and in footnote (e), the word "India", shall be substituted;
- (xii) in Form TM-27, for the words "British India", the word "India" shall be substituted;
- (xiii) in Forms TM-42 and TM-43, for the words "the Calcutta Branch of the Trade Marks Registry", the words "a Branch Registry" shall be substituted;
- (xiv) in Forms TM-44 and TM-45, for the words "British India", the word "India" shall be substituted.

30. In the Third Schedule, in Form O-4 for the words "Department of Commerce", wherever they occur, the words "Ministry of Commerce and Industry" shall be substituted.

31. In the Fifth Schedule, in the entry relating to item LVIII, for the words "Artificial brocades" the words "Artificial silk brocades" shall be substituted.

[No. 101(1)-TM&P(TM)/51.]

J. N. DUTTA, Dy. Secy.

## MINISTRY OF FOOD AND AGRICULTURE

### ORDER

*New Delhi, the 9th May 1953*

**S.R.O. 895.**—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government hereby directs that the following further amendment shall be made in the Food-grains (Licensing and Procurement) Order, 1952, namely:—

In clause 13 of the said Order for the words and figures "Order issued under clause 10" the words "of the provisions of the Order or any order made thereunder" shall be substituted.

[No. PY.II-654(8)/53.]

P. A. GOPALAKRISHNAN, Joint Secy.

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**MINISTRY OF INFORMATION AND BROADCASTING**

*New Delhi, the 6th May 1953*

**S.R.O. 896.—Corrigendum.**—In this Ministry's notification No. S.R.O. 733 dated the 7th April 1953 published in the *Gazette of India*, Part II Section 3, dated the 18th April 1953, for the words and figures 'S.R.O. 449' read 'S.R.O. 499'.

[No. 20(50)/51-F.II.]

A. N. BERY, Dy. Secy.

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**MINISTRY OF COMMUNICATIONS**

*New Delhi, the 7th May 1953*

**S. R. O. 897 .—**The following draft of a further amendment to the Indian Aircraft Rules, 1937 which it is proposed to make in exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), is published, as required by section 14 of the said Act, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 10th August, 1953. Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

*Draft Amendment*

To paragraph 2 of section C of Schedule VIII of the said rules, following proviso shall be added, namely :—

“ provided that in the case of a licensed scheduled air transport service operated wholly or partly by night, the co-pilot shall be required to have on his B license an endorsement for the type of aircraft flown on the service and shall in addition be required to have any of the following qualifications, that is to say—

- (i) a minimum of 1000 hours experience as a co-pilot but not as supernumerary on the type of aircraft operated or on a type of the same class of aircraft, of which at least 10 hours shall be by night ; or
- (ii) Pilot-in-command certificate for the type of aircraft operated ; or
- (iii) endorsement for the type of aircraft operated and a pilot-in-command certificate for the type of the same class of aircraft which is operated.”

[No. 10-A/8-53.]

V. K. MENON, Under Secy.

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*New Delhi, the 8th May 1953*

**S.R.O. 898.**—Whereas on the 2nd May 1953 an accident occurred near Calcutta to a “Comet” aircraft of the British Overseas Airways Corporation while engaged in a scheduled flight from Calcutta to Delhi resulting in the death of all the crew and passengers on board:

And whereas it appears to the Central Government that it is expedient to hold a formal investigation of the said accident:

Now, therefore, in exercise of the powers conferred by rule 75 of the Indian Aircraft Rules, 1937, the Central Government directs that a formal investigation of the said accident be held.

The Central Government is further pleased to appoint Shri N. S. Lokur, Chairman, Air Transport Licensing Board, to hold the said investigation.

The Central Government is also pleased to appoint:

- (i) Shri K. M. Raha, Deputy Director General of Civil Aviation;
- (ii) Shri N. Srinivasan, Design Department, Hindustan Aircraft Limited; and
- (iii) Mr. T. R. Nelson, Senior Inspector of Accidents, Ministry of Civil Aviation, United Kingdom;

to act as assessors to the said investigation.

[No. 17-A/17-53.]

*New Delhi, the 12th May 1953*

**S.R.O. 899.**—Whereas on the 9th May 1953 an accident occurred near Delhi to a Dakota aircraft of Air India Limited while engaged in a scheduled flight from Delhi to Bombay resulting in the death of all the crew and passengers on board;

And whereas it appears to the Central Government that it is expedient to hold a formal investigation of the said accident:

Now, therefore, in exercise of the powers conferred by rule 75 of the Indian Aircraft Rules, 1937, the Central Government directs that a formal investigation of the said accident be held.

The Central Government is further pleased to appoint Shri Shankar Saran, ~~Retired~~ Judge of the Allahabad High Court and Custodian General, Evacuee Property, to hold the said investigation.

The Central Government is also pleased to appoint:

- (1) Shri V. B. Gandhi, M.P. and
- (2) Shri D. Chakravarti, Deputy Director General of Civil Aviation;

to act as assessors to the said investigation.

[No. 17-A/20-53.]

B. N. JHA, Secy.

#### (Posts and Telegraphs)

*New Delhi, the 8th May 1953*

**S.R.O. 900.**—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), the Central Government hereby directs that the following further amendment shall be made in the Indian Post Office Rules, 1933, namely:—

In rule 183 of the said Rules after item (11) the following item shall be inserted namely:—

“(mm) All Regional Commissioners in India and the Provident Fund Inspector at Kutch appointed under the Employees’ Provident Fund Scheme, 1952 provided that the articles posted by them relate solely to the business of Employees’ Provident Fund”.

[No. C-28-3/53.]

*New Delhi, the 11th May 1953*

**S.R.O. 901.**—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), the Central Government hereby directs that the following further amendment shall be made in the Indian Post Office Rules, 1933, namely:—

In item (s) of rule 183 of the said Rules for the words “The Chairman, Coal Board and the Secretary (Stowing) to the Chairman, Coal Board” the words “The Chairman and the Secretary of the Coal Board” shall be substituted.

[No. C-28-3/52.]

K. V. VENKATACHALAM, Dy. Secy.

**MINISTRY OF TRANSPORT****PORTS***New Delhi, the 7th May 1953*

**S.R.O. 902.**—In exercise of the powers conferred by sections 4 and 6 of the Madras Outports Landing and Shipping Fees Act, 1885 (Madras Act III of 1885), the Central Government hereby directs that with effect from the 9th June, 1953, the following further amendment shall be made in the notification of the Government of India in the Ministry of Transport No. 11-P (90)/47, dated the 23rd December, 1947, namely :—

In the schedule to the said notification, in item 11 of the section headed "Method of calculating Landing and Shipping Fees and Wharfage "

(a) the following words shall be inserted at the beginning of this item, namely :—

"When steamers with wharf cargo work in stream with the prior written permission of the Traffic Manager,"

(b) in sub-item (c) the following words and clauses shall be omitted, namely :—

"The boating of cargo by the steamer agents and the payment of rebate to importers and exporters will be allowed only :—

(i) when the quantity of import or export cargo does not exceed 100 tons (landing and shipping tons) in the case of each steamer, and

(ii) when steamers with wharf cargo of more than 100 tons work in stream with the prior written permission of the Tariff Manager."

[No. 6-PII (26)/53.]

C. PARTHASARATHY, Under Secy.

*New Delhi, the 9th May 1953*

**S.R.O. 903.**—The following draft of an amendment in the Calcutta Port Rules, published with the notification of the Government of India in the late War Transport Department No. 9-P(19)/42, dated the 3rd December, 1943, which it is proposed to make in exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908), is published as required by sub-section (2) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 18th June 1953.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

**Draft Amendment**

To rule 75 of the said Rules the following paragraph shall be added at the end, namely :—

"Notwithstanding anything contained in this rule an extension of license for a period not exceeding three months may be granted without a survey in case of a boat held up outside the Port of Calcutta and its navigable rivers and channels".

[No. 9-P.I(77)/53.]

K. NARAYANAN, Under Secy.

**MINISTRY OF WORKS, HOUSING AND SUPPLY***New Delhi, the 9th May 1953*

**S.R.O. 904.**—In exercise of the powers conferred by sub-section (1) of section 17 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (XXX of 1952) and clause (1) of article 258 of the Constitution and in supersession of the Notification of the Government of India in the Ministry of Works, Housing and Supply. No. 9585-WII/52 (S.R.O. 1971), dated the 25th November, 1952, the Central Government hereby directs that the powers exercisable by it by or under the provisions of the said Act, specified in column 2 of the Schedule hereto annexed shall also be exercisable within their respective jurisdiction by the authorities mentioned in the corresponding entry in column 1 of the said Schedule. Provided that the powers under section 8 of the said Act in so far as they relate to fixing of compensation by agreement shall not be exercisable by any of the said authorities except with the previous concurrence of the Central Government.

## SCHEDULE

<i>Authorities</i>	<i>Provision of the Act</i>
1. The 1st Land Acquisition Collector, Calcutta, the Collector in the district of 24 Parganas, and all other Collectors in the State of West Bengal, and all Collectors, District Magistrates, Deputy Commissioners in the State of Assam, Bihar, Madras, Orissa, Punjab, Patiala and East Punjab States' Union, Travancore-Cochin, Saurashtra, Hyderabad and Rajasthan.	Sections 6, 7, 8 (except clause (b) of sub-section (1) and section 13.
2. The State Governments of the States of Assam, Bihar, Madras, Orissa, Punjab, Patiala and East Punjab States' Union, Travancore-Cochin, West Bengal, Saurashtra, Hyderabad and Rajasthan.	Clause (b) of sub-section (1) of section 8.

[No. 1608-EII/53.]

K. K. SHARMA, Dy. Secy.

## MINISTRY OF LABOUR

*New Delhi, the 5th May 1953*

**S.R.O. 905.**—In pursuance of section 27 of the Mines Act, 1952 (XXXV of 1952), the Central Government hereby publishes the report submitted to it under sub-section (4) of section 24 of the said Act by the Court of Inquiry appointed to hold an inquiry into the causes of, and circumstances attending, the accidents which occurred in the Champion Reef Gold Mine on the 19th April 1952 and 30th June 1952 and in the Ooregaum Gold Mine on the 19th August 1952.

No. J1.C.257/52-53.

OORGAUM, K.G.F..

*The 8th October 1952.*

From :

The Chairman and District Magistrate,  
Court of Inquiry,  
K. G. F.

To

The Secretary to the Government of India,  
Ministry of Labour, New Delhi.

**SUB:**—*Report of the Court of Inquiry into the causes of any circumstances attending the accidents which occurred at the Champion Reef Gold Mine on the 19th April 1952 and the 30th June 1952.*

SIR,

In the Government of India, Ministry of Labour letter No. M-45(7)52, dated the 28th August 1952, I was appointed under Section 24 of the Mines Act, 1952, to hold an enquiry into the causes of, and circumstances attending the accidents which occurred in the Champion Reef Gold Mine on the 19th April 1952 and the 30th June 1952, and Mr. N. Barraclough, C.B.E., Chief Inspector of Mines in India, Shri K. Doraiswamy Iyer, ex-Chief Inspector of Mines and Explosives, Mysore, Mr. W. T. Hocking, A.C.S.M., Superintendent, Nundydroog Gold Mine, and Shri M. C. Narasimhan, President, Champion Reef Mine Labour Association, were appointed to act as assessors, and in pursuance of the said enquiry I submit the following report:—

## I. INTRODUCTORY

The enquiry was commenced on the 10th September 1952 and was continued on the 15th—17th, 19th, 20th, 22nd, 23rd and 26th September and the 7th and 8th October 1952. Representatives of the mine management and labour were present during most of the enquiry, in addition to their nominees appointed as assessors.



## II. DESCRIPTION OF THE MINE

The Champion Reef Gold Mine is owned by Messrs Champion Reef Gold Mines of India (K.G.F.) Limited and the Managers are Messrs John Taylor & Sons (India) Limited. It is situated at Oorgaum in the Bangarapet Taluk of Kolar district in the State of Mysore and is at an altitude of 2,930 feet above mean sea level. The mine leasehold extends for a distance of 3,500 feet along the strike of the reefs and is bounded on the north and south by the Oorgaum and Mysore gold mines respectively, while the fourth large gold mine in the Kolar gold-field lies to the north of the Oorgaum mine. The mine went into regular production in the year 1891 since when it has gradually extended in depth until it is now over 9,240 feet below the field Datum at the deepest point and it is the second deepest mine in the field. The gold bearing quartz reefs worked in the mine occur towards the southern end of a narrow strip of pre-Cambrian hornblende schists which is surrounded by the complex of gneiss and granitic rocks which covers the greater part of Southern India. The Kolar schist belt is composed of metamorphosed igneous rocks which on their western edge are bounded by a discontinuous band of ferruginous quartzite, and on the eastern edge by a locally developed crush conglomerate. Most of the gold production of the Kolar gold-field to-date has come from the Champion Lode and its branches. This lode persists through all the mines. It strikes almost due north and it dips towards the west at an angle of from 40° to 50° near the surface to more than 85° in the deepest part of the mine. The lode filling of the Champion Lode is predominantly quartz, varying in colour from white to very dark grey. The distribution of gold in the lodes or reefs is erratic and economic values are found in irregular areas known as "Ore Shoots" which are interspersed in large areas of lode channel. The Champion Lode has been subjected to a number of intrusions of pegmatite, particularly in the deeper levels, which are of varying shapes and sizes and which cause a marked disturbance of the lode channel. Numerous faults have been encountered in the Champion Reef mine, the largest being the Mysore North Fault which merits description as it is frequently referred to later in this report. On the surface, the fault lies on the west side of the lode in the mine property but as its strike is N.N.W.—S.S.E. as against the N.-S. strike of the Champion Lode and its dip is about 85° as against 40°—45° dip of the lode near the surface, it cuts through the lode obliquely from the southern boundary down to the 76th horizon where it meets the lode some 2,000 feet from the southern boundary. At the 76th level the dip of the lode becomes the same as the dip of the fault, so that from this horizon downwards the fault cuts the lode along a vertical plane. The width of the fault is irregular, the maximum recorded width being 150 feet. Rich ore shoots are found near both edges of the fault and below the 68th horizon and on the south side of the fault there is a unique ore body of great magnitude known as the Glen Ore Shoot. It was in this ore shoot that the accidents under reference took place. This ore shoot extends from the 68th level (6,356 feet below field datum) to the present development in the 97th level (9,129 feet below field datum) and, excluding extensions towards the southern boundary, the main body of the shoot covers an area of approximately 58 acres, of which some 38 acres have been exhausted. Between the 76th and 82nd levels the ore shoot attains a maximum horizontal length of about 1,400 feet, the average quartz width being 38 inches. One of the main characteristics of the ore-body is the lack of any well defined hanging or foot wall, the lode channel being 40 to 50 feet wide. The Mysore North Fault runs at a slight angle to the ore-body in the foot-wall and at the 80th level it varies in distance from 30 feet at the northern fringe to 180 feet at the southern fringe from the reef.

## III. METHOD OF WORKING

(REFER PLAN No. 1)\*

The Gifford's shaft is the main artery of the mine from the surface to the 70th level, a single lift of 6,556 feet. It is 18 feet in diameter and brick-lined. From the bottom of this shaft the lower levels of the mine are served by four concrete-lined auxiliary vertical shafts namely, Biddick's for the north section and Heathcote's, White's and Osborne's for the south section. The Glen Ore Shoot is served mainly by the Heathcote's, White's and Osborne's shafts, the first being near the northern fringe, the second near the centre and the third near the southern fringe of the shoot. From these shafts cross-cuts are driven through the country rock to reach the reef which is divided up into rectangular blocks by levels and winzes or rises. Levels are at intervals of about 100 feet above the 89th level while below that level the interval is reduced to 75 feet. The interval between winzes or rises varies from 200 feet in the upper part to over 300 feet in the lower part of

\*Not printed.

the Glen Ore Shoot. The rectangular blocks of ore are removed by "stopping operations", the void thus created being packed with granite masonry immediately above and below the levels and at the sides of ore chutes and ladderways, and with 'dry granite' blocks in between the chutes and manways. Such packs are intended to control ground movements and to prevent caving in of the walls.

#### IV VENTILATION

A cooling plant on the surface feeds 129,000 cubic feet per minute of conditioned air at a temperature of 36° to 38° (Saturated) into the Gifford's shaft through a duct which meets the shaft 200 feet below the surface. At the 70th level this air has attained a temperature of 86° Dry and 64° wet due to auto-compression. It is then split, one part travelling north along a footwall drive and shaft down Biddick's shaft and the other part travelling down Heathcote's. At the 80th level the major portion of the air travelling down Heathcote's shaft is diverted along a footwall drive to Osborne's shaft down which it travels to the deep workings. The cool air after being split in the lower levels ascends through winzes, levels and stopes, and finally upcasts to surface through several vertical and inclined shafts. Steel doors are provided to control and direct the air and the mine is sectionalised for purposes of fire control. Tolerable working conditions are maintained in the deeper workings by auxiliary fans and ventilation pipes. At the 94th level, Osborne's shaft the air temperature is 110° F Dry Bulb and 82° F Wet Bulb. The ventilation is also augmented to some extent by the compressed air used in hoisting engines and drilling machines.

#### V. SUPERVISION

The mine is managed by Mr. Peter Best (Superintendent), an Associate of the Royal School of Mines, who is assisted by four senior officers each of whom holds full charge of an independent department. On the 19th April, 1952, the Chief Underground Agent, who has complete charge of the underground mining operations, was Mr. J. K. Walker, and on the 30th June 1952, Mr. W. R. Cowlin, both being Associates of the Camborne School of Mines. The Chief Surveyor, Chief Engineer and Chief Metallurgist, the other heads of departments, were Messrs S. P. Dandona, D. H. Rowe and R. E. Cooke, respectively. For the sake of administration the underground workings are divided into sections each one of which is under the charge of a Section Agent who is assisted by assistant agents, foremen, assistant foremen, head mestries and mestries in each shift. Foremen are usually in charge of the workings on five or six levels, assistant foremen and head mestries supervise work on one or two levels and a mestri is placed in charge of a gang of four to eight men and the place in which they work.

#### VI. NARRATIVE OF THE ACCIDENT WHICH OCCURRED ON THE 19TH APRIL, 1952

On the 19th April, 1952, a very severe rockburst occurred at 10-07 hours. It was followed at 11-21 hours by another almost equally severe rockburst. The Seismograph in the Kolar Gold Field Observatory recorded the following movements of the styles:—

Hours.	Min.	N. — S. in m	E. — W. m m	Vert. " m
10—	7-83	Styl s off.	18.0	11.0
11—	21 60	Styl off.	13.4	10.0

It was soon ascertained that the first of these rockbursts had affected the stopes and levels in White's shaft area between the 80th and 82nd levels. At 10-45 A.M., the Assistant Agent, Mr. J. M. Caw, reported by telephone that 16 men appeared to be missing and that bursting and heavy ground movements were continuous in the area and were preventing a detailed inspection. The Chief Underground Agent, Mr. J. W. Walker, who was on the surface, instructed him to organise rescue squads and as soon as the ground movements quietened down rescue work was to commence but on no account were unwarranted risks to be taken. At 11-35 A.M. Mr. Caw reported that the exact number of men missing was 20, seven on 80th level, nine on 81st level and four on 82nd level, and that the whole area was still disturbed by ground movements and it was unsafe to commence rescue operations. Mr. W. R. Cowlin, the second in command to Mr. Walker, had been deputed to take charge on the spot. By 12-50 hours the ground movements had decreased to such an extent that it was deemed reasonably safe for rescue squads to commence operations on 80, 81 and 82 levels. Messrs. Cowlin and Caw reconnoitred the affected area from White's shaft side and the Osborne's shaft side

and found the three levels choked to varying degrees and over varying distances between the shafts. The Rill Stope above 80 level was entered by the manway from 79 level and found choked from the point downwards. Attempts were made to contact any person who was alive in the area by hammering on the compressed air pipes in the levels and by shouting, but no reply was heard. The Chief Underground Agent organised rescue squads to relieve those underground and drew up a programme of work with the agent in charge of each shift on a four-hour shift basis covering a period of 24 hours, after which he went underground to make a detailed inspection of the affected area. The Inspector of Mines, No. 6 Circle, and Shri Subramanyam, Junior Inspector, accompanied by Mr. Best, Superintendent, also made a detailed inspection of the affected area at about 16-00 hours. From these detailed inspections it was concluded that (a) there was little hope of rescuing alive any of the twenty men as judging from the severity of the damage observed it was highly probable that all the persons had been killed, (b) rescue operations would take several weeks, (c) the levels should be cleared from White's shaft side only, (d) if need be, the chute passes above the 82 level leading to the stope where four men were known to be trapped should be blasted so that entry of rescue workers would be facilitated, (e) rescue operations should be continuous until the dead bodies were recovered.

#### VII. NATURE AND EXTENT OF THE DAMAGE.

(REFER TO PLAN No. 2)\*

Despite the violent nature of the rockburst the damage done by it was local and confined to a small area of workings. The levels affected were Nos. 80, 81 and 82, all of which were steel setted with 75 lbs: bull-headed rails and closely lagged with casuarina poles, the spaces between the walls and back being packed with waste rock.

The 80th level was partially choked between points 67 feet and 206 feet measured from White's shaft cross-cut towards the south. From the point 206 feet south of the cross-cut this level was still choked up to a point 350 feet from the cross-cut as a result of a rockburst in 1947 and six men who were caught by this rockburst were engaged in clearing the old choke and resetting the level. The Rill Stope above No. 80 level was fully choked, similarly the ladderway to No. 79 level to within 35 ft. of that level.

The 81st level was the worst affected. It was completely choked over a distance of 182 feet from a point 40 feet south of White's shaft cross-cut. The flat-back stope 30 feet above the level, which was completely choked as a result of the 1947 rockburst, was being cleared between the second and third chutes. The cleared portion of this stope was again choked as also were the chutes leading to the stope. The steel setts in the level were badly buckled and twisted and the granite masonry packwall above the setts, originally 5 to 6 feet thick, was reduced to a thickness of only 2 to 3 feet.

The 82nd level was not so seriously damaged. The steel setts were buckled over a distance of 90 feet but complete closure had not taken place. The Rill Stope face and the flat-back 30 feet from the bottom of the rill as well as ladderways and chutes leading to the stope were completely choked.

The total area damaged by the rockburst was roughly elliptical, the long axis of the ellipse being about 260 feet along the dip of the reef and the short axis about 180 feet along the 81st level.

The names, occupations, places of recovery and other information regarding the twenty deceased persons involved in the accident are given in Appendix I.

#### VIII. CONDUCT OF RESCUE OPERATIONS

In order to recover the bodies rescue operations were carried on without cessation from 12-50 hours on the 19th April 1952 until the last body was found on the 24th May, 1952. These operations entailed (a) reclaiming the levels by taking out buckled steel setts, clearing debris and putting in new steel setts lagged with casuarina poles and packing of the voids around the setts with waste rock, (b) running debris from chutes, which sometimes necessitated the use of explosives, in order to gain entry to the stopes, (c) rebuilding of chute walls and ladderways, (d) clearing of debris from the stopes, and (e) making new ladderways into the stopes. From this brief description it will be evident that of necessity the work was slow and tedious as it was carried out in dangerous ground severely crushed by the rockbursts. We record our admiration of the workmen and officers who with great courage carried out the rescue operations under such difficult and dangerous circumstances.

\*Not printed.

## IX. HISTORY OF OPERATIONS IN THE GLEN ORE SHOOT.

Early development of the Glen Ore Shoot having revealed its lateral extent, richness, lack of any well defined hanging or footwall, proximity of the Mysore North Fault and other characteristics, the management realised that stoping operations at depths exceeding 6,350 feet would be fraught with difficulties. They, therefore, appointed a committee of their most experienced technical staff to consider and report on the most suitable method of stoping this massive ore-shoot. The committee recommended the adoption of the "Rill" method of stoping in conjunction with stowing of the voids with waste rock and cyanide sand. Preparatory stoping along the levels and lining these levels with concrete arches had been in progress from 1923 between the 68th and 72nd levels. Stopping operations were commenced above the 72 level in 1933. By 1934 the need for more rigid support in the stopes had become evident as the filling of black rock and cyanide sand permitted excessive closure of the walls. Granite block packs were then introduced on a limited scale and steel setting of the levels was started. A heavy rockburst in 1936 causing severe damage to 71-74 levels led to the complete replacement of concrete arching in the levels by steel set's and an increase of granite supports in the stopes to 75 per cent. of the voids. The general practice was for the backs of levels to be removed for a height of 20 feet and the bottoms to a depth of 10 feet as a preliminary to stoping, the remainder of a block being taken out with two rill faces making a "V" face in each block. In 1937, there was a further increase in the percentage of stope support by granite packwalls from 75 per cent. to 86 per cent.

The original sequence of stoping was from the northern fringe of the ore-body which was the intersection of the reef with the Mysore North Fault, but in course of time the need to maintain production resulted in stoping being commenced along the southern fringe as well as from winzes in the centre of the ore shoot. The system of preliminary back stoping to a height of 20 feet above the levels was continued as far down as the 82nd level. This policy resulted in large pillars being left in the centre of the ore-shoot down to the 80th level. Between 1936 and 1940 other methods of stoping were tried and abandoned after being found less satisfactory than the "Rill" method.

In 1939 and 1940, a series of heavy rockbursts, which occurred between 76 and 78 levels and resulted in many fatalities led to the introduction of a three stage stoping method since it was thought that this would provide a shorter rill face and thus reduce the time lag between breaking and supporting. Another experiment was to provide a steel settled intermediate level in the packwalls through the stopes with the object of providing another access to ladderways and rendering escape easier in the event of a rockburst. This experiment was a complete failure as whenever ground movements occurred the Intermediate level invariably closed in and was useless.

In 1942, after two more heavy rockbursts had occurred causing loss of life, the area above 80 level was declared a remnant area by the Chief Inspector of Mines and Explosives, Mysore, and precautionary measures were laid down by him in consultation with the management for extraction of the remnants. It is to be noted that these precautionary measures only applied to the working out of remnants above 80 level.

By 1943 stoping of blocks along the fringes of the ore shoot had extended down to 82 level. It was now clearly evident that if the difficulties already experienced in extracting remnant blocks in the centre of the ore-shoot were to be avoided, a change in the sequence of stoping from the centre outwards towards the fringes had to be introduced. Up to this time support of ground in the stopes and levels had been the main consideration in endeavouring to reduce rockbursts and in limiting the areas affected by them. A scheme for rill stoping outwards from central winzes at both 84 and 86 levels was then introduced and at the same time preparatory stoping along the levels was reduced to 10 feet above and 8 feet below the steel setts. The rill stopes on the two levels were to be kept in line and were to develop in the form of an inverted "V". Also for safety of workers and to facilitate the transport of granite the driving of cross-cuts at the odd numbered levels from Heathcote's shaft was commenced at 83 level.

Following a disastrous rockburst in 1947 which did extensive damage to the levels and stopes between the 80 and 84 levels a study group of mining engineers was formed under the then Superintendent and the presently operated "V" Scheme was introduced below the 86 level. This scheme, or sequence of stoping, consisted of rill faces forming a "V" shape, the "V" steadily expanding as stoping in the deeper levels commenced. Preparatory stoping above and below the steel setts in the levels was reduced to about 50 feet in advance of the rill faces.

Greater attention was paid to speed of support and stopes were worked in pairs, two drilling machines being worked in a stope until a cut of 6 to 8 feet had been taken, after which the machines were transferred to the opposite stope in the level while the ore was cleared and packwalling executed. Thus a work cycle of approximately two weeks for machining and two weeks for packwalling was maintained. As it was desirable to speed up this cycle by reducing the length of the rill faces, the levels below the 89th horizon were then set out at intervals of 75 feet as against the former interval of 100 feet. From this brief history of the working of the massive Glen Ore Shoot it will be appreciated that the present system of stoping was evolved from many years of experience and patient experimentation. Changes in the sequence of stoping and in the method of stoping were almost inevitable as all the difficulties and dangers that would be encountered could not be foreseen from the inception. The "V" system of mining or sequence of stoping could not be applied in the workings above the 82 level where remnants had already been formed.

Similar difficulties have been experienced in Canada and South Africa in the working of gold mines at considerable depths as will be seen from the following quotation from a contribution to the transactions of the Canadian Institute of Mining and Metallurgy by Mr. W. T. Robson, Superintendent of the Lake Shore Gold Mines.

"The time required to change a system of mining or sequence of stoping found to be inadequate to cope with pressure movements, which invariably take place as mining is carried to depth, may be a matter of years. In this period, it is almost impossible to change over to a planned sequence without cleaning up the irregularities and hazardous situations inherent in the old one. In fact it might, and sometimes does, so happen that the overlapping in time and application aggravates further the situation, and a period of time is experienced in which ground movements, violent or otherwise, present an extraordinary problem."

#### X. THE 'RILL' METHOD OF STOPING.

The rill method of stoping was introduced in the Champion Reef Mine after many years of experience and taking into consideration the natural conditions prevailing in the mine. The lack of any defined hanging or footwall, the average stoping width of 6 feet, the almost vertical dip of the reef, the necessity of giving almost immediate support to the walls as stope faces advanced, the great depth of the workings and the known presence of residual stresses in ground were the most important of the factors that had to be considered when it was decided that the rill method was the safest and most suitable. The main features of the rill method of stoping are as follows:—

- (a) A "chatty stope" is first worked to a depth of 8 feet in a level and is packed solidly with granite masonry, leaving manholes at intervals of 12 feet.
- (b) The level is then steel setted with 75 lbs. bull-headed rails, spaced at intervals of 3 to 4 feet, and a lagging of casuarina poles is then placed around the setts before the voids between the sides and back are packed with waste rock.
- (c) A back stope is then worked to a height of 10 feet over the setts and the excavation so made is packed with granite masonry, chute holes being left at intervals of 20 feet.
- (d) Rill stopes are then commenced from a winze on a short face which increases in length as the rill advances. The slope of the rill face is about 45 degrees.
- (e) After a cut of about 6 feet is taken from the face or back, the broken ore is cleaned down through a chute or chutes to the level below.
- (f) Masonry packwalling of the chutes is then carried out and between the chutes dry packing with dressed granite blocks is then done leaving a space of 2-1/2 to 4 feet between the packs and face.
- (g) At the top of a rill stope drives are advanced in order to cut down the length of the rill and obviate or reduce a sharp promontary below the upper level.

The advantages of this method of stoping are:—

- (a) Granite blocks for packs can be dropped from the level above and rolled down the rill face thus facilitating and expediting packwalling, a matter of vital importance in deep mining.

- (b) Two separate means of egress are invariably available from a stope.
- (c) Supervision is facilitated as climbing up ladders is not necessary.
- (d) Ventilation is better as the air ascends through the faces.
- (e) Use of timber in the stopes is reduced to a minimum and the risk of fire is almost eliminated.

#### XI. OBSERVATIONS ON THE CIRCUMSTANCES LEADING TO THE ACCIDENT WHICH OCCURRED ON THE 19TH APRIL, 1952.

Reference to \*Plan No. 2 shows that there were two remnants above the 80 level and between the 80 and 82 levels there were four large partially stoped blocks and two small remnants north of 1-N winze. Above and below these blocks and remnants large areas had been stoped out and it is to be anticipated, therefore, that they were acting as an abutment for the stoped out areas. The 1947 rockbursts, although violent and causing extensive damage between the 80 and 84 levels, do not appear to have de-stressed the area.

The management had treated the area between 80 and 82 levels as a remnant area after the 1947 rockburst and precautions were taken accordingly although no special precautions had been stipulated by the Inspectorate. Two rill stopes north of 1-S winze over the crosscuts from White's shaft had been started, another rill stope south of 1-S winze above 82 level had been established and another stope above 81 level was being cleared of the debris from the 1947 rockburst and preparatory work for stoping was in progress. Another rill stope south of 1-S winze between the 79 and 80 levels was also being worked. The two rill stopes north of 1-S winze were not affected by the rockburst. This area was being worked in two shifts only and in the morning shift when the accident occurred there were 44 persons engaged on work in the area which consisted of cleaning ore from the stope above 80 level, clearing and re-setting 80 level south at the choke resulting from the 1947 rockburst, clearing and resetting 81 level north of the choke resulting from the 1947 rockburst, clearing the flat-back stope south of 1-S winze above 81 level of debris resulting from the 1947 rockburst and trammings the debris to the shaft, and packwalling in the rill stope south of 1-S winze above 82 level. Of the 20 persons killed in this accident 15 were engaged in work connected with the reclamation of a level and a stope following the 1947 rockburst and only five were engaged on work directly connected with the production of ore.

#### XII. CONCLUSIONS

(1) We have previously stated that the violent rockbursts on the 19th April 1952 at 10-07 and 11-21 hours did not affect the rill stopes and levels on the north side of 1-S winze despite their close proximity to the presumed epicentre of the bursts. Also they affected only a very limited area of workings. From the shape of the area of workings affected and certain other factors we conclude that the rockbursts were "Shear Bursts" resulting from a combination of inherent or residual stresses of natural origin present in the ground and the induced stresses set up by mining operations.

(2) The partially stoped out blocks or remnants between the 80 and 82 levels appear to us to have served as an abutment for the large areas of stoped out reef above and below these levels and on this account they were carrying abutment loads of considerable magnitude and, therefore, they were in a highly stressed condition as a result of mining operations.

(3) The rockbursts which occurred in 1947 in the same area although very violent and causing much more extensive damage than the rockbursts under consideration, did not de-stress the area and we are of the opinion that the recent rockbursts have also not done so and that the area between the 80 and 82 levels continues to be in a very highly stressed condition.

(4) The very heavy death roll in this accident is mainly accounted for by the fact that the rockbursts took place at a time of day when the maximum number of persons was at work in the area.

(5) We are satisfied that there was no undue concentration of workers in the area for the purpose of ore production and that fifteen out of twenty of the deceased were engaged on works connected with the reclamation of workings damaged in previous rockbursts.

(6) The manner in which the barrier of remnants between the 80 and 82 levels across the middle of the Glen Ore Shoot was formed has been explained by the management and it was admitted that this was due to faulty practice in the past. We realise, however, that this admission was made in the light of experience and that it is not reasonable to expect that all of the difficulties that have been

experienced in the exploitation of this unique ore-body at such great depths could be foreseen by the mining engineers who were responsible for planning and directing the early development and stoping operations more than twenty years ago. It is only during the past ten to fifteen years that the sequence of stoping operations has come to be regarded as of even greater importance than support of the excavated ground in reducing the frequency of rockbursts and limiting the areas affected by them.

### XIII. NARRATIVE OF THE ACCIDENT WHICH OCCURRED ON THE 20TH JUNE 1952.

A very severe rockburst which was both heard and felt over a wide area on the surface occurred at 19-15 hours in the Champion Reef mine and the seismograph in the Kolar Gold Field Observatory recorded the following movements of the styles:—

Time 19-15.05 Displacements N-S 66.0, E-W 25.3, Vertical 20.3

Shortly afterwards a telephone message from underground indicated that the 86, 87 and 88 levels, south of Heathcote's shaft, had been affected and all men in the vicinity were being withdrawn. Section Agents were leading reconnaissance parties and trying to effect such rescue work as was possible. These reconnaissances revealed that men were missing in the following parts of the mine:

Two men engaged for packwalling in the rill stope above 86 level near Heathcote's shaft cross-cut.

One mestri with two men who were clearing ore from 4-N rill stope above 87 level and one mestri with three men who were tramming ore from the chute on 87 level.

One mestri with two men who were packwalling near the point end of 4-N rill stope above 88 level.

Damage to the workings was also reported as follows:—

**86th level.** The end of Heathcote's shaft cross-cut was partially choked and the level on the north side of the cross-cut was choked for about 30 feet. To the south from points 15 feet to 305 feet from the cross-cut the level was closed.

**87th level.** The junction of the Heathcote's shaft cross-cut and the level was choked towards the north and south and the level was choked up to a point 270 feet south of the cross-cut, i.e. up to the bottom of the 4-N rill stope. The ladderway into the rill stope above 87 level was also choked.

**88th level.** The level was unaffected for a distance of 10 feet towards the south from Heathcote's shaft cross-cut. From that point the steel sets were buckled for a distance of 140 feet and the level was fully choked for a further distance of 174 feet. The ladderway and chutes of the 4-N rill stope above the level were also choked.

At 21-23 hours rescue workers succeeded in finding two men buried under debris in 86 level immediately to the south of Heathcote's shaft cross-cut. One was dead and the other alive but severely injured. The injured man was given "First-aid" treatment in the mine and then sent to K.G.F. hospital. At 22-10 hours the Inspector of Mines, Shri R. G. Deo, and the Junior Inspector of Mines, Shri M. Subramanyam accompanied by Messrs. W. R. Cowlin and E. Isaacson, the Chief Underground Agent and Section Agent, respectively, made a detailed inspection of the affected area. Rescue work was in progress on the 86, 87 and 88 levels from the Heathcote's shaft cross-cuts which were safe and unaffected. The 86 and 87 levels south of the cross-cuts were completely closed in and it was evident that the speed of rescue work would be very slow. After examining the levels from the Heathcote's shaft side they went to the Osborne shaft and inspected the affected workings from the south side. It was fortunate that the choke in 87 level had not reached 4-N winze as on shouting down the ladderway a moan was heard and on descending to the point of the stope below the level it was confirmed that one man who was buried was still alive. It is gratifying to record that this person (Parasuraman) was rescued several hours after having been buried under debris and except for shock he was none the worse for the experience. In this stope the dead body of another packwaller was found. During this joint inspection every effort was made to contact any entombed person who might be alive by shouting and by signalling on the air pipes and rails but there was no response. The rescue teams had also tried to contact the persons entombed in the affected area by the same methods with negative results. After this inspection it was concluded that there was little hope of recovering alive any more of the persons trapped in the area who, in all probability, were beyond human help. On

returning to surface at 03-00 hours on the 1st July 1952, a conference was held in the Control Room and it was decided to continue rescue work in shifts of four hours duration until 8-00 hours after which time it was agreed that the work should be continued without cessation in shifts of six hours duration until the bodies of the eight remaining persons were recovered. It was also decided that the recovery operations should be carried out from the Heathcote Shaft cross-cuts which constituted safe bases for the operations.

#### XIV. CONDUCT OF RESCUE OPERATIONS

The level that were damaged by this rockburst had been completely steel-setted with 75 lbs. bull-headed rails around which the usual lagging of casuarina poles and black rock packing had been provided. These steel setts, which originally left an opening 7 feet high and 5½ feet wide, were so tightly crushed that air was prevented from passing along the levels. These broken and bent setts had to be removed, sometimes blasting having to be resorted to, and after clearing debris new steel setts were fixed and the usual lagging and packing executed. In some places the granite masonry pack-walls above the steel setts had been crushed almost to powder and the debris ran into the levels while reclamation work was in progress thereby leaving large voids which had to be filled with new granite masonry. The progress of the recovery work, therefore, was inevitably slow and at each point daily rate was about six feet. The last dead body was recovered after 44 days of continuous work in short shifts of six hours duration. The order in which the bodies were recovered, the positions in which they were found and other details of the deceased and injured persons involved in the accident are given in Appendix II. The positions in which the deceased were found and details of the damage done by the rockburst are shown on \*Plan No. 3.

#### XV. CIRCUMSTANCES ATTENDING THE ACCIDENT

The section of the mine in which the rockburst took place was in charge of the Section Agent, Mr. E. Isaacson. His section consisted of the workings between the 83rd and 88th levels in the Glen Ore Shoot from the Heathcote and Osborne Shafts and also in the extension of the ore shoot on the south side of Osborne shaft. In the levels and stopes served by Heathcote's shaft he had men engaged as follows:—

	Morning Shift	Afternoon Shift	Night Shift
	Men	Men	Men
84th level—Steel setting on the level . . . .	1 and 4	1 and 4	Nil
85th level—Machining in stope . . . .	2 and 1	2 and 1	Do.
86th level—Cleaning and packwalling a previously rockburst stope . . . .	1 and 4	1 and 2 (1)	Do.
87th level—Machining in stope . . . .	1 and 2		Do.
Cleaning ore from stope . . . .	....	1 and 2 (1) (2)	Do.
Tramming Ore . . . .	....	1 and 3 (1) (3)	Do.
88th level—Packwalling in stope . . . .	1 and 4	1 and 4 (2)	Do.
Steel setting in level . . . .	1 and 4	1 and 4	

The figures in brackets indicate men killed.

The figures and word "1 and 4" indicate one mestri and four men.

Work in this section was confined to the morning and afternoon shifts. The section was regarded as a normal one for purposes of ore production. For supervision, the Section Agent was assisted by one General Foreman, one experienced



Assistant Foreman and in each level there was an assistant foreman. Each gang of workmen was in charge of a certified mestri. It is evident, therefore, that the supervision and direction of operations in the mine were adequate.

#### XVI. INFLUENCE OF THE SEQUENCE OF STOPING ON ROCKBURSTS

From the brief history of mining operations in the Glen Ore Shoot given in Chapter IX of this report it will be seen that the 'V' sequence of stoping was introduced as the result of many rockbursts and the experience gained during many years of working in this ore shoot. Following a disastrous rockburst in 1947 a study group of experienced mining engineers was formed under the then Superintendent of the mine to advise on the future system of stoping and it was on the advice of that study group that the 'V' sequence was introduced in 1948. Up to 1948 stoping had been confined to the area of workings above 86 level and as it was essential that the new system be started where no remnant would result from the change of plan it was introduced below the 86th level.

Since the violent rockbursts on the 24th November 1947 which did severe and extensive damage to the levels and stopes from 80 to 85 levels there were sixteen rockbursts in the Glen Ore Shoot up to the end of 1951. Of these rockbursts, four were "pressure burst" in development 'ends' which were in no way connected with, or due to stoping operations: eight were rockbursts in the workings above 86 level and only four were rockbursts in the workings below 86 level. During the same period nine workers were killed by "pressure bursts", no person was killed and four were seriously injured by rockbursts above 86 level and two persons were killed and two seriously injured by rockbursts below 86 level. Of those rockbursts excluding the pressure bursts six occurred during the night shift when no work in stopes in the affected areas was in progress. From this analysis of rockbursts since 1947 it would appear that the 'V' sequence of stoping below 86 level has been successful in reducing the incidence of rockbursts and limiting the area affected by such rockbursts as have occurred. The rockburst on the 30th June 1952 would, however, appear to some extent to vitiate this argument. We are, however, of the opinion that this rockburst was not due to any inherent defect in the 'V' sequence of stoping for reasons which will be given in the following chapter.

#### XVII. CAUSE OF ROCKBURST

From the brief history of the Glen Ore Shoot given in Chapter IX of this report it will be seen that as a result of heavy rockbursts prior to 1943 a scheme of rill stoping outwards from central winzes between 84 and 86 levels was then introduced. The rill stopes between these levels were to be kept in line and were to be advanced in the shape of an inverted 'V'. Reference to Plans\* Nos. 1 and 3 shows that the rill faces between these levels on the northern limb of the inverted 'V' had been advanced into I.S. blocks some 100 feet from the plane of the Heathcote's shaft while the rill faces below 86 level of the 'V' sequence introduced in 1948 were approximately 200 feet south and behind the rill faces above 86 level. The partially stoped out blocks of ore marked on the plan 4 N and 5 N between the 85 and 83 levels therefore constituted an abutment for the stoped area above 86 level in addition to which these blocks also acted as an abutment for the advancing stopes below 86 level. It is to be assumed, therefore, that these partially stoped out blocks of ground 4 N and 5 N, between 86 and 88 levels were abnormally stressed on account of the extra abutment load of the stoped ground above 86 level, which was additional to the normal abutment load due to stoping of the ore-body below 86 level.

It is also to be seen from Plan No. 3 that on the 87 and 88 levels preparatory stoping had been carried out some 240 feet and 180 feet, respectively, in advance of the rill faces above these levels and up to the cross-cuts from the Heathcote shaft. This preparatory stoping along these levels is said to have been carried out prior to 1943. As previously explained, preparatory stoping consisted of making a "Chatty Stope" to a depth of eight feet below the floor of a level, filling it with granite masonry, erecting steel setts with casuarina pole lagging, stoping to a height of about ten feet above the setts and packing the void above the setts with granite masonry. This preparatory stoping so far in advance of the rill faces reduced the strength of the blocks of ground between the levels in addition to which it set up stresses in the ground quite independent of those set up by normal stoping. We are of the opinion that these were the two principal factors in the generation of abnormal stresses by mining operations leading to the rockburst. Another factor which cannot be ignored and which perhaps, also influenced the rockburst was the presence of the Mysore North Fault in fairly close proximity to the ore shoot in this area. In the footwall cross-cuts from Heathcote's shaft between the 86-88 horizons the Mysore North Fault is about 30 feet measured

\*Not printed.

horizontally at right angles to the fault plane from the ore shoot. Experience in this mine and many other mines has shown that rockbursts are more prone to occur in the vicinity of such faults, more especially when the fault and the ore shoot are almost parallel or meeting at a very acute angle.

### XVIII. CONCLUSIONS

(1) The rockburst on the 30th June 1952 occurred in a section of the mine where normal stoping operations were in progress and which was not regarded as a dangerous or abnormal area.

(2) We are of the opinion that the rockburst was due to abnormal stresses built up in a small area of ground at the junction of two stoping systems, the additional stress being due to the abutment load of adjoining stoped out ground.

(3) Preparatory stoping carried out many years earlier for considerable distances along the levels in advance of the stopes reduced the strength of the blocks of ground between the levels and set up stresses around the levels. We surmise that these factors had a bearing on the rockburst and accounted to some extent for the closure of the levels when the rockburst occurred.

(4) We conjecture that the Mysore North Fault which is situated in close proximity to the reef in the affected area was likely to be the cause of concentration of stress and, perhaps, it was a contributory factor in the building up of abnormal stresses which were relieved when the rockburst occurred.

(5) We consider that the rockburst was not an indication of any inherent defect in the 'V' sequence of stoping adopted in 1948 and from the evidence made available to us it is evident that the sequence of stoping has been effective in reducing the frequency of rockbursts.

### XIX. DISCUSSION OF EVIDENCE

1. *Increase in the number of exits.*—It was suggested by a number of witnesses on the part of labour that if there were more exits from stoping areas, there would be more chances of escape in the event of a rockburst. Two means of ingress and egress were provided to the working stopes and wherever practicable to other working places, and the provision of additional escape ways would not have enabled any person killed in these rockbursts to escape. We agree in principle with the suggestion but have to point out that every excavation made in very deep mines is a potential danger and may contribute to conditions which result in a rockburst. However, we recommend the suggestion as worthy of consideration when planning the future development of the mine.

2. *Method of stoping.*—Some witnesses on the part of labour appeared to be under the impression that the methods of stoping practised in the Mysore and Nundydroog mines are better than the rill method in vogue in the Champion Reef mine. Expert witnesses were of the opinion that under the conditions obtaining in the Champion Reef mine the rill method of stoping is the best and that a change over to "bottom stoping" would require the most careful consideration. We were informed that the method of stoping was under active expert consideration.

3. *Packwalling by contractors.*—Regarding the question of packwalling and support work done in the mine, different opinions were expressed as to the satisfactoriness or otherwise of the work done by contractors. Since, however, the management have discontinued the employment of contractors for packwalling work, we feel that no recommendation in this respect is necessary.

4. *'Spitting' in relation to rockburst.*—A number of witnesses on the part of labour referred to certain movement and 'spitting' of the walls prior to the rockburst on the 30th June 1952. Normal spitting does not indicate or help in predicting a rockburst. The standing instructions of the management have been that in case of any unusual ground movement workers should immediately leave the affected place and withdraw to a safe place. If there had been unusual ground movements or abnormal spitting prior to the rockburst it is to be expected that the workers would have withdrawn from the affected area. From the evidence of expert witnesses it was evident that 'spitting', which is a rather peculiar sound made when a thin layer of hard rock fractures, is a sound frequently heard in the Kolar Gold mines and is an indication of normal relief of stress.

## XX. RECOMMENDATIONS

(1) We consider that it would be prudent not to resume stoping of the partly worked out blocks and the remnants remaining between the 80th and 82nd levels for a considerable time as it is evident that they are still carrying extremely heavy abutment loads and are abnormally stressed. While making this recommendation we are conscious of the fact that the blocks and remnants contain some 60,000 tons of payable ore and about 50,000 ounces of gold worth about Rs. 12 millions at the existing market rate. As regards the reclamation of levels in the area we consider that this work should be restricted to what is essentially necessary for re-establishing ventilation and travelling ways.

(2) We have discussed the question of resumption of stoping operations on the two remnants above the 80th level and consider that if stoping is resumed it should be carried out on a very restricted scale confining operations to only one face at a time.

(3) The consensus of opinion of the expert witnesses examined by us is that the 'V' sequence of stoping adopted below the 86th level is about the best that can be devised for deep mining under the difficult conditions obtaining in the Glen Ore Shoot. Although the rockburst on the 30th June, 1952, occurred in a part of the mine where this sequence of stoping was being followed, it cannot be concluded that it resulted from any inherent defect in the system. Nevertheless as this particular rockburst has occurred in an area where this sequence of stoping was in operation, the court feels that the matter may be further examined and considered by experts in consultation with the Mines Department.

(4) The effectiveness of the granite packing in the stopes is a matter that has been given very careful consideration and we recommend that experiments be carried out to ascertain if the use of sand for filling the voids in dry packs would improve the resistance of the packs to early closure of the walls. In building dry packs in stopes it is most essential that the granite blocks be arranged with dressed faces one tightly against another at right angles to the walls and the sand filling of the voids should not be so executed as to prevent this being done. The pack-walls, therefore, should be built in layers and after a layer has been completed, over a certain area the dry sand should be rubbed or brushed into the voids.

(5) In paragraph 3 of Chapter XVIII we have opined that preparatory stoping carried out many years earlier for considerable distances along the levels in advance of the stopes reduced the strength of the blocks of ground between the levels and set up stresses around the levels, and we surmised that these factors had a bearing on the rockburst which occurred on the 30th June 1952, and accounted to some extent for the choking of the levels when the rockburst occurred. We agree that the present practice, which was introduced in 1948, of restricting preparatory stoping work in the levels to not more than 50 feet in advance of a point where stoping is to be started, or to not more than 50 feet in advance of the bottom of a working stope should be continued and that there should be a standing rule to this effect.

(6) In our conclusions on the rockburst which occurred on the 30th June, 1952, we have conjectured that the Mysore North Fault, which is situated in close proximity to the Glen Ore Shoot in the area affected by the rockburst, was likely to have been the cause of a concentration of stress and, perhaps, it was a contributory factor in the building up of abnormal stresses which culminated in this violent rockburst. The record of rockbursts in the Glen Ore Shoot show that major rockbursts have been more frequent in the workings bordering on the northern fringe where the ore-shoot lies in close proximity to the fault than in the working towards the south where the ore-shoot is further away from the fault. In other mines it has been observed that rockbursts are prone to occur in the vicinity of such faults, more especially when the fault and the ore shoot are running parallel and in close proximity to each other, or when they are meeting at a very acute angle. The northern limb of the 'V' system below the 86th level is approaching the fault and we consider that the faces should not advance beyond a predetermined line roughly parallel to the line of intersection of the reef and fault. We hesitate to make a specific recommendation on the distance from the reef to the fault on which the limit line should be drawn, but suggest that for the time being it should be fixed at 50 feet from the fault, the 50 feet being measured horizontally on a line at right angles to the plane of the reef. When the limit line has been reached on several levels further stoping towards the north should be carried out only after a carefully considered plan has been drawn up by the management in consultation with the Inspectorate. \*

(7) As a result of the investigations into the causes of these accidents we are satisfied that the methods of mining have been in accordance with accepted principles at the time and, in our opinion, no blame can be attached to the management or any person for these occurrences.

We appreciate the degree of efficiency and technical skill which has been developed in this large and very deep mine. We wish also, to place on record our high regard of the work done by rescue teams in the recovery of the bodies of the persons who so unfortunately lost their lives in these accidents.

Sri M. C. Narasimhan desires to add a note\* to this report which will be duly forwarded as soon as it is received.

As Chairman of the Court of Enquiry I wish to place on record my deep appreciation of the understanding and helpfulness displayed by Sri M. C. Narasimhan, Assessor on the side of Labour, and the most helpful co-operation extended to me by Mr. Hocking, Assessor on the side of the Management, and to acknowledge the great assistance and expert knowledge brought to bear on this Enquiry by the Chief Inspector of Mines in India Mr. Barraclough and Sri K. Duraiswamier, Retired Chief Inspector of Mines and Explosives, Mysore.

Yours faithfully,

K P. RAMANATHAIYA, *Chairman.*

**Assessors.**

1. N. Barraclough.
2. W. T. Hocking.
3. K. Doraiswamy Iyer.
4. M. C. Narasimhan.

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\*Printed at the end

## APPENDIX I

Disc No.	Name	Age	Occupation	Body brought up to surface		Level	Place of recovery
				Time	Date		
1515	M. Sivalingam	25	Stope Cleaner	17 25	23-4-52	82	In Stope jammed against the back above the 3rd chute.
1168	John	21	Do.	7 10	24-4-52	82	In Stope reclaimed when running the point chute.
1135	Ponnurangam	25	Packwallor	22 38	24-4-52	82	In Stope between the point and second chute.
1137	Chinnaraj	21	Do.	3 10	25-4-52	82	Do. Do.
1155	Lakshmanan	33	Steelset Man	12 15	1-5-52	81	In level between 123/ and 127/ S. of White's Shaft Crosscut.
1129/	Kandaswamy	30	P. W. Nestry	15 25	1-5-52	81	Do. Do.
M.21369	1113/ Ethuraj	39	Timber Nestry	17 05	1-5-52	81	Do. Do.
M.16451	1133 Muniswamy	27	Packwallor	17 05	1-5-52	81	Do. Do.
1157	Kesaveloo	23	Steelset Man	1 35	2-5-52	81	Do. Do.
1154/	Muthuswamy	41	Do. Mestry	19 40	3-5-52	81	In level at 139 / S. of White's Shaft Cross-cut.
M.B.							
16000							
2359	Krishnan	21	Packwallor	1 50	8-5-52	80	In level between 177/ and 180/S of Crosscut.
1061	S. Doraiswamy	34	Do.	2 20	8-5-52	80	Do. Do.
1090/	Nadesan	31	Steelset Mestry	14 20	8-5-52	80	Do. Do.
M.21410							
1091	Chinnappan	31	Do. Man	6 30	10-5-52	80	In level at 181/ S. of White's Shaft.
1059	Jayappah	31	Packwallor	7 25	10-5-52	80	Do. 183/ Do.
1058/	Doraiswamy	30	Packwallor Mestry	9 05	10-5-52	80	Do. 185/ Do.
M.20890							
1094/	Yettian	39	Stope Cleaning Mes-try.	1 45	11-5-52	80	In Stope between point and ladderway chute at 116/ S. of Crosscut.
M.20354							
1115	Devaraj	39	Timber Man	4 05	15-5-52	81	In Stope at top of chute at 90/ South.
1131	Annamalai	32	Packwallor	16 00	16-5-52	81	Do. 6' S. of chute at 90/ South.
1117	Muniswamy	24	Timber Man	20 25	16-5-52	81	Do. 80/ S. do.

# APPENDIX 2

Disc No.	Name	Age	Occupation	Body brought up to surface		Level	Place of recovery
				Time	Date		
1238	Rajoo	27	Stope Cleaner	22.15	30.1.52	86	On the level near the end of the choke at the Heathcote Shaft Crosscut.
527	Gurappa	33	Packwallor	23.10	5-7-52	88	4N. Rill Stope above the 88th level.
526	Narayanaswamy	24	Do	11.15	6-7-52	88	Do.
2160	Doraiswamy	24	Trammer	15.00	15-7-52	87	On the level near the winze.
2383	Arumachalam	23	Stope cleaner	„	15-7-52	87	Do.
1301/M.21084	Marappan	32	Stope cleaner Mestri	11.10	15-7-52	87	Do.
2400	Arokianathan	25	Stope cleaner	1.53	16-7-52	87	Do.
830	Patchayappan	21	Trammer	14.00	26-7-52	87	Found on the level.
16/M.18517	Gangan	38	Tramming Mestri	13.05	13-8-52	87	Do.
667	Sreenivasan	23	Trammer	13.05	13-8-52	87	Do.

No. J1.C.257/52-53.

OORGAUM—K.G.F.

Dated 8th October, 1952.

From

The Chairman and District Magistrate,  
Court of Inquiry,  
K. G. F.

To

The Secretary to the Government of India,  
Ministry of Labour,  
New Delhi.

**SUBJECT:—***Report of the Court of Inquiry into the causes of and circumstances attending the accident which occurred at the Ooregum Gold mine on the 19th August 1952.*

Sir,

In compliance with the Government of India, Ministry of Labour telegram No. M-45(7)52, dated the 18th September, 1952, an enquiry into the causes of, and circumstances attending the accident which occurred in the Ooregum Gold Mine on the 19th August, 1952, was commenced on the 25th and 26th September, 1952, and was completed on the 7th and 8th October, 1952. As Shri M. C. Narasimhan, one of the assessors appointed in the Ministry of Labour letter No. M-45(7)52, dated the 28th August, 1952, had expressed his inability to serve as an assessor on this enquiry, I had no alternative but to commence the enquiry on the 25th and 26th September, 1952, with the remaining assessors until Shri P. M. Swamidurai, President, Ooregum Mine Labour Association, was appointed as an assessor to represent the interests of labour in letter No. M-45(7)52, dated the 30th September, 1952. In pursuance of the said enquiry, I submit the following report:

#### I. DESCRIPTION OF THE PLACE OF ACCIDENT

The accident occurred in No. 1 North Winze on the West Reef of Ooregum Mine which was being sunk from the 101 level to establish a connection with the 102 level in the normal course of development of the mine. The winze had advanced to a depth of 79 feet below the 101 level and was within 14 feet of reaching the 102 level. The bottom of the winze was about 9.608 feet below field datum and was one of the deepest working points in the mine. The winze was circular in cross-section, the excavation being about 8 feet in diameter, and it was being lined with concrete to a finished diameter of 5'—7". It was equipped with the standard equipment consisting of a bucket, skidway, ladderway, ventilation pipe, knocker line and a small compressed air hoist. The concrete lining was extended to within 12 feet of the bottom of the winze (sirk).

#### II. CIRCUMSTANCES ATTENDING THE ACCIDENT.

During the night shift of the 18th-19th August, 1952, a round of shots was fired in the bottom of the winze. In the day shift on the day of accident one mestri and four men went to work at about 8-30 A.M., the mestri and three men going to the bottom of the winze to fill debris into the bucket and one man remained at the top of the winze on the 101 level to empty the ore into a bandy (tub or truck). Five to six tons of debris had to be cleared from the winze and up to the time of accident they had removed four bandies of debris and were filling the fifth bandy.

The actual time that the accident took place appears to have been at 11—18 hours as the seismograph in the K.G.F. Observatory recorded slight movement of the styles at that time, the movements being N-S - 0.4. E-W - 0.2 and vertical traces. Witnesses have given the time of the rockburst at times varying from 11-09 hours to 11-45 hours.

Shortly before the rockburst occurred two Dust Samplers had descended to the bottom of the winze and they were making arrangements to set up their instruments. Altogether there were six persons in the winze when there was a rockburst which threw some five tons of rock from the hanging and footwalls from between the bottom of the winze and the bottom of the concrete lining. All carbide lamps were extinguished. Fortunately one of the Dust Samplers had an electric lamp which remained alight. The mestri, Gangadharam, was uninjured and he relighted his acetylene lamp. Two of the workers were partially buried in debris and the mestri with the assistance of a Dust Sampler released them. They had sustained superficial injuries. The third man of the gang could not be seen as he was completely buried.

The Assistant Underground Agent, Mr. A. Cave, who in course of making his usual tour of inspection of the workings, heard the burst when he was on the 102 level, West Reef, and he reached the top of the winze with the Section Agent, Mr. O'Neill some seven minutes later. They descended the winze and after assisting in releasing the two partially buried men, Chinnappan and Muniswamy, Mr. Cave returned to the 101 level so that he could organise rescue work, leaving Mr. O'Neill in charge in the winze. The two injured men were removed from the Winze and clearing of debris was commenced. Shortly afterwards, Mr. Cave returned with two fresh rescue men and relieved the men at the bottom of the winze. After some four tons of debris had been hoisted, the body of deceased D. Chinakanoo was uncovered. The time was then about 13-00 hours.

### III. CAUSE OF ACCIDENT.

An inspection of the place of accident made by Shri S. R. Prasad, Assistant Inspector of Mines, at 16-00 hours revealed that all the equipment used in the winze was in normal working order, a small portion of the last ring of concrete lining at the north side had been blown away and the hanging and footwall had been blown out to varying depths from the bottom of the lining to the bottom of the winze. This enquiry into the accident revealed that none of the previous shift men had noticed any unusual behaviour of rock during their shift and nothing unusual occurred in the winze during the day shift until the rockburst occurred.

The rockburst was a "pressure burst" due to residual stresses in the ground. Such rockbursts occur, fortunately infrequently, in development levels, i.e. at the face of a drive or in the sink of a winze or shaft or in a crosscut, and they are in no way connected with stopping operations and the induced stresses set up by such operations. They occur in the Kolar Gold Field mines at any depth exceeding about 1,000 feet. One such rockburst has occurred very recently in the Mysore Mine at a depth of about 3,000 feet. Sometimes such bursts are extremely violent. Many years ago there was a "pressure burst" in a sinking shaft at Nundydroog Mine which expelled over 100 tons of rock from the bottom of the shaft and projected machine drillers, machines and tools up the shaft. They occur without warning and are the result of release of pent up stresses in the ground. They are more prone to occur in the vicinity of or in immediate proximity to faults or other disturbances. In this case there was no disturbance or fault in the immediate vicinity of the place of occurrence.

### IV. DISCUSSION OF EVIDENCE.

From the evidence of the witnesses who were examined, there is no reason to suspect that during the previous night shift and in the day shift of the day of accident any unusual ground movement was noticed in the winze. It is also clear from the depositions of witnesses that during these shifts work progressed in a normal manner.

It was suggested by one witness that if the concrete lining of the winze had been maintained to within five feet of the bottom the accident might have been averted. The rockburst must have been violent to fracture and expel some five tons of very hard rock into the excavation and we are, therefore, extremely doubtful if a concrete lining would have prevented the walls being thrust inwards. On many occasions the concrete lining of a shaft in virgin ground has been destroyed by a "pressure burst". Moreover, it is not practicable to keep the concrete lining in a winze at all times to within five feet of the bottom. It is however, the practice in the Mine to extend the concrete lining to the bottom of the winze without delay whenever indications of ground movements are noticed.

### V. CONCLUSIONS.

- (1) The rockburst was a "pressure burst" due to residual stresses in the ground.
- (2) The accident was a true case of misadventure and no person was negligent in the performance of his duties.
- (3) There was no defect in the method of supporting the walls of the winze.

### VI. RECOMMENDATIONS.

We have therefore no recommendations to make.

Yours faithfully,

K. P. RAMANATHAIYA, *Chairman.*

*Assessors:—*

1. N. Barraclough.
2. W. T. Hocking.
3. K. Doraiswamy Iyar.
4. P. M. Swamidurai.



*A note by Shri M. C. Narasimhan to the Report of the Court of Enquiry on the Rockbursts in Champion Reef Mines, Kolar Gold Fields.*

1. The Rockbursts under discussion have to some extent at least, revealed the dangers involved in mining at great depths and in the conditions prevalent in Kolar Gold Fields. The phenomenon of Rockbursts is no doubt complicated. And in the particular conditions of Champion Reefs (and KGF also) all the factors leading to the occurrence of Rockbursts are pronounced and the complicating factors such as depth, the dip of the ore body, the occurrence of the Geological weaknesses such as faults, folds etc, the relationship of the areas of Rockbursts (those under discussion) to the general workings, the defective planning in the early days stated to be inevitable, have made the problem more complicated. These factors put the conditions of mining in KGF on a special footing. And this calls for special methods and special devices and as such more close study by the Inspectorate and those in charge of Mining operations. And the discussions have to be viewed only in this background. It has to be noted that during the past ten years Rockbursts have not appreciably diminished in numbers much less in intensity nor has the death rate due to rockbursts decreased appreciably. In particular the death roll in Champion Reef Mines has been the heaviest. Looked at from this angle the methods adopted call for ample improvements. We have to yet catch up with the improvements made in other countries like Canada, Australia, and the Union of Soviet Socialist Republics.

2. Due to a variety of reasons the Court could not attract to itself the best of talents on the fields. Further we were under a serious handicap owing to the paucity of literature placed on the table of the court. This apart we had very little material for a comparative study especially with reference to the conditions in USSR, Australia and Canada where I understand there have been big improvements in certain directions. No doubt a passing mention was made with reference to conditions in South Africa and it was stated that methods there have been similar to those adopted in KGF; to wit, V-sequence of stoping which was adopted in South Africa somewhere in 1940-41 was adopted in KGF in 1948; Rill stoping is in force in South Africa as in KGF; supports are of the order of 5 to 10 per cent. in South Africa whereas in Champion Reefs they are of the order of 80 to 90 per cent; mechanical scrapping is adopted in South Africa whereas handscrapping is adopted in KGF, Comparison with South African conditions where depths are comparatively smaller and where safety probably has not been a strong factor (I think the Workmen's Compensation in its developed form came into force in 1948) would not lead us far. Absence of such a comparative study has meant a serious shortcoming and this would be emphasised when it is remembered that the conditions here call for special or advanced methods. And one cannot from a perusal of the discussions see to what extent methods adopted here are abreast of the times. (I know for instance we are behind times and standard practice elsewhere is not adopted here: for instance Aluminium vapour inhalation is the practice as a corrective to Silicosis but we don't have such a thing here). As such the conclusions are defective.

3. Safety underground is a very important factor and if the confidence of the workers which has been shaken up due to the casualties, is to be restored safety needs to be improved greatly. It has to be stressed that our country has not yet progressed much in the direction of safety. In other countries like Czechoslovakia, England, USSR etc this has been made a subject of special study as Safety Engineering and enormous amount of research has been done. The I.L.O. in their publication THE LAW AND PRACTICE RELATING TO SAFETY IN FACTORIES, 1949, has given a brilliant survey of the developments in the direction of Safety achieved in various countries. According to this publication for instance, in USSR "is a very highly developed and active safety movement directed by the State and the Union Republics etc." Safety and Industrial Hygiene is supervised by the Trade Unions in USSR. Further there are Labour protection Institutes in all important Cities and also Laboratories in 11 Cities (1949) for the purpose of conducting research in Industrial Safety. Vast sums of money are at the disposal of these institutes. England, Czechoslovakia, and France have also developed similar methods, and built up Safety organisations. But even according to the survey we are lagging far behind these countries. Here it must be emphasised that the GOI should devote immediate attention to this aspect of the problem; even so the employers must make safety and research, their paramount concern. Unless this is done I am afraid that the Inspectorate will not be able to discharge their duties in the matter of ensuring safety. At present the Inspectorate is burdened with a wider jurisdiction and probably not equipped well enough to meet the needs as mentioned above.

In this place I would like to state that setting up of MINING ROADS as required under the Indian Mines Act would greatly help to check up re: Safety measures

etc. This has been long overdue and since statutory provision is there no further delay would be good.

4. In the main report we have discussed at length re: the methods of Mining adopted on the Fields. Re: V-sequence of stoping the court has stated that expert opinion should be elicited. Here I would like to point out one defect of this sequence of stoping with reference to the conditions of champion Reefs. This is very important to bear in mind since at lower depths V-sequence is the basis. The V-sequence is defective in the sense that it does not take into account the presence of Mysore North Fault and the build up factor (in the matter of inherent stresses) that this constitutes. The Northern limb of the V forms a sort of a pillar as it advances nearer the Mysore North Fault, and consequently a burst is likely to occur. Further it does not provide for the principle of working away from the Fault which according to SPALDING is one of the best methods of working near the Fault. It is stated that V-sequence is theoretically the best. Probably so. But the above defect still remains. Hence even if we advocate that the northern limb of the V-sequence should not go beyond 50 feet of the Fault I am afraid that we will not be able to overcome the chances of bursts. So if we should stick to the V-Sequence, then the V-sequence will have to be modified in such a way that the principle of retreating away from the Fault is also provided for and the zone of weakness, i.e., the pillar like formation against the Fault is minimised.

Secondly it is not clear how far the pillar formation between 80 and 82 was inevitable. As early as 1927 or so HM. White in a paper he submitted to the Kolar Gold Mining and Metallurgical Society stated that Pillars were a nuisance and he would prefer them extracted. I think from this it is not unreasonable to expect that he would plan to see that no pillars were allowed to be formed at least as far as possible. And he later happened to be the Superintendent of the Champion Reef Mines. And according to the statement of the Inspector of Mines etc., the Glens Ore shoot was worked from the North and South; in the beginning it was being worked only from North side. And later considerations of maintaining production or dividends came in and workings were from North and South which manner of working naturally led to formation of pillars. So it is not quite easy to see to what extent this was inevitable. And that is why probably the Inspector of Mines hinted in the court that this was due to faulty mining practice.

Thirdly the area between 78 and 82 levels in the South section of the mine (the area of the burst) was according to the statement of Mr. J. K. Walker the Chief UG Agent, subject to violent ground movements, over a number of years; even a periodicity in the matter of bursts has been observed. That was why certain precautions were observed by the management in working this area. These were precautions required of the management by the Inspector of Mines in the year 1940. (Incidentally this letter purporting to lay down the restrictions was not produced in the court). These precautions are not with reference to any special methods of working the pillars. But they were only restrictions with ref. to number and rate of working and further they were laid down in 1940 when probably the situation was entirely different. Instead of allowing the management to adopt some measures suggested some years ago, (i.e., about ten years ago) if only more study of the ground had been made it is probable that different precautions and methods would have been suggested. Further these pillars or remnants should have been worked on only one face instead of working two faces. Secondly they should have been worked from only one side. This view has been suggested by the section Agent Mr. Caw. It must be noted that according to Mr. J. K. Walker this area does not come within the sphere of V-sequence. From this it is not easy to conclude that the best method under the circumstances was adopted. Some precautions were laid down in 1949 and these were in toto adopted. This once again emphasises the need for keeping a close watch on each of the important areas, to study the history of the ground movements etc.

Fourthly, it has been noted that the level supports which were earlier considered very safe and which in previous bursts remained comparatively open or unaffected (to the extent of giving some escape way) have been very seriously damaged so that men have died in the levels. This has been the case in both the bursts under discussion. This would lead us to the conclusion that level supports which were designed to stand certain pressure are not in a position to stand the intense bursts at lower levels. As such level designing needs to be improved and changed. Further in respect of remnant areas, Shri Subramanyam has stated that "in places where remains are worked it is desirable to strengthen the level supports to a much greater extent than what is normally done in other places." And in the remnant areas normal level supports only were used.

The restrictions laid down in the main report re: the working of the pillars are only with reference to the pillars under discussion. These do not apply to other pillars. There are such pillars elsewhere in the mines. It should be stated that these pillars should be worked only after a close study and after due permission from the Inspector is obtained.

In the Mysore North Fault region a number of bursts have occurred. Some have taken a big toll of life. Certain other bursts did not result in fatalities. Those which did not lead to fatalities were not taken note of by the Inspectorate (excepting probably for the purposes of recording.) because of the policy that Rockbursts which do not lead to fatalities need no serious consideration. Such a policy, in the context of increasing depths and increasing Rockbursts is not very sound. It is very necessary that fatalities or no all major Rockbursts require careful study as they give a correct picture of the movements of ground etc. I hope this defect will be overcome.

5. Lastly it has been recognised by one and all who have given evidence here that Rockbursts are inevitable in KGF. For instance Mr. Isaacson says, "I feel that Rockbursts are very difficult to prevent and the resultant loss of lives is almost inevitable." Mr. Peter Best the Superintendent of the Mines, on 19th August 1952 stated "Rockbursts in this area may always be a probability and I do not feel any living person can guarantee that there will be no recurrence of Rockbursts". Mr. W. R. Cowlin, Assistant Chief Agent, stated "I think that Rockbursts in this field are an inherent danger". In other words according to the Mining Engineers on the fields Rockbursts cannot be prevented nor the resultant loss of lives. As such deep mining here carries far greater risks to workmen than any other industry probably. But how is this risk provided for? The coverage is extremely unsatisfactory. For purposes of workmen's compensation and wages etc, underground workers in Gold Mines are treated like and other workmen (except for the matter of a small amount of wage differential). Average earnings for a UG worker ranges between Rs. 60 and 70. The Compensation rates do not take into account the factor of age of the victim so much so that in the case of a young worker-victim his dependants are put to a great deal of hardship. That apart the compensation rates were fixed somewhere in 1934 and need revision. In fact in some other countries (for instance Canada) rates have been revised in the post-war years. Thus despite the great risks involved and despite the fact that Gold Miners in KGF run the risk of almost certain death they are not put on a special footing. Consequently several families and dependants of Rockbursts victims have been put to a lot of hardship; some have found it extremely hard to carry on even for a few years. Hence in view of the great risks involved in Gold Mining it is very necessary that immediately that higher rates of compensation are fixed for Gold Miners and that workers in this area be given an extra allowance to cover the risks. Before advanced measures of Social Insurance are brought into force this interim measure is very necessary.

6. The above pecuniary improvements and constitution of MINING BOARDS with greater attention to safety and developed safety organisations for the purpose of carrying research, have become urgent and it is hoped that the GOI would take immediate action in this behalf with a view to restore confidence and morale of the workers on the fields.

(Sd.) M. C. NARASIMHAN.

[No. M.45(7)/52.]

*New Delhi, the 12th May 1953*

**S.R.O. 906.**—In exercise of the powers conferred by sub-section (1) of section 19 of the Minimum Wages Act, 1948 (XI of 1948), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour No. S.R.O. 1512, dated the 24th September 1951, namely:—

In the schedule to the said notification in column 1 for the entries "The Conciliation Officer (Central), Allahabad" and "The Labour Inspector (Central), Patna II", the entries "The Conciliation Officer (Central), Dhanbad II" and "The Labour Inspector (Central), Giridih" shall respectively be substituted.

[No. LWI-24(60).]

P. N. SHARMA, Under Secy.

New Delhi, the 5th May 1953

**S.R.O. 907.**—In pursuance of section 36 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the annual report and the audited accounts for the year 1951-52 and the revised estimates for the year 1952-53 and Budget Estimates for the year 1953-54 of the Employees' State Insurance Corporation as finally adopted by the Corporation are hereby published for general information:—

### EMPLOYEES' STATE INSURANCE CORPORATION

#### Revised Budget Estimates for the year 1952-53 and Budget Estimates for the year 1953-54

At the last meeting held on the 11th December, 1951, the Budget Estimates for the probable receipts and expenditure for the financial year 1952-53 were approved by the Standing Committee and passed by the Corporation at its meeting held on 13th December, 1951 in two parts:—

- (1) *Statement 'A'*.—For Sanctioned Measures, *i.e.* for running of the entire scheme only in Delhi and Kanpur and for collection of employers' special contribution in the rest of India; and
- (2) *Statement 'B'*.—For New Proposals—*i.e.* for extension of the scheme in other places.

2. The scheme was introduced in Delhi and Kanpur from 24th February, 1952, and the employers' special contribution was also collected from that date. In other places, the scheme has not yet been introduced as envisaged. It is now proposed to introduce the scheme early in 1953 at certain other places, *i.e.*

- (i) Punjab from March 1953.
- (ii) Greater Bombay and Bangalore from April, 1953.

The staff for the implementation in the Punjab has already been sanctioned and that for Greater Bombay and Bangalore is being asked for from the Standing Committee. Subsequently, it is proposed to introduce the scheme at the following places:—

- (i) Coimbatore from July, 1953;
- (ii) Calcutta from July, 1953;
- (iii) Nagpur and Jubbulpore from July, 1953;
- (iv) Ahmedabad and Sholapur from October, 1953; and
- (v) other places with concentrations of employees over 5000 in April, 1954

3. In the light of the above proposals, the estimates for 1952-53 have been reviewed and the budget estimates of 1953-54 have been prepared and are submitted for consideration and approval in two parts:—

- (i) *Statement 'A'*.—For Sanctioned Measures, *i.e.* for running of the entire scheme in Delhi, Kanpur, Punjab, Greater Bombay and Bangalore.
- (ii) *Statement 'B'*.—For New Proposals, *i.e.* for extension of the scheme in other places in 1953-54.

It may be stated that the number of employees covered by Statement 'A' of the Budget Estimates is expected to be 5,85,000 and that to be covered by the further stages upto April 1954 for which provision is made in the estimates for 1953-54 will be 12,33,000, making the total number of covered employees by April 1954 to 18,18,000.

4. Brief explanations of the amounts provided under various heads are given below where they seem necessary:—

### 'STATEMENT 'A'—SANCTIONED MEASURES

#### REVISED ESTIMATES FOR THE YEAR 1952-53

The budget estimates for 1952-53 originally sanctioned have been shown under column 5 of Statement 'A' under two heads—'For Sanctioned Measures' and 'For New Proposals'. As the dates for implementation of the scheme in places other than Delhi and Kanpur have been later than originally envisaged, the revised estimates of receipts and expenditure are expected to be mostly within the amounts provided for 'Sanctioned Measures' except expenditure on certain items necessitated for preparatory work in advance of the implementation of the scheme in the new areas in the Punjab, Greater Bombay and Bangalore for which it may be necessary to draw upon the provision originally made for "New Proposals".

## RECEIPTS

## PART 'A'—ADMINISTRATION

The anticipated total amount of receipts is Rs. 46,19,850 against Rs. 1,09,04,350 (sanctioned measures). The reduction is mainly due to (i) non-drawal of any loans from the Central Government out of provision of Rs. 35,00,000 originally made and (ii) transfer of Rs. 36,41,550 for repayment of loans from Part 'B'—Benefits as against the original amount of Rs. 62,06,350.

The grant-in-aid from the Central Government now anticipated is Rs. 9,12,700 against Rs. 11,35,200 (Sanctioned Measures) on account of lower administration expenditure in the year 1951-52.

## PART 'B'—BENEFITS

The amount now anticipated as receipt on account of contributions is Rs. 1,40,30,000 against the provision of Rs. 1,44,79,000 (Sanctioned Measures). No receipts are anticipated in 1952-53 or the implementation of the scheme in Punjab and Bangalore.

## PART 'D'—SUSPENSE ACCOUNT

The total amount provided in this part of the estimate is Rs. 11,55,871 against the original provision of Rs. 14,07,670 for sanctioned measures in Statement 'A'. The difference is mainly due to the reduction in setting apart Rs. 8,00,000 against the original provision of Rs. 11,79,000 as the capitalised value for permanent disablement and dependants benefits partly set off by the increase due to the adjustment of outstanding advances and deposits in 1952-53 instead of in 1951-52 as originally envisaged.

## EXPENDITURE

## PART 'A'—ADMINISTRATION

The total expenditure provided under the items 1 to 29 is anticipated to be Rs. 32,43,100 against the original provision of Rs. 28,93,100 in statement 'A' (sanctioned) and Rs. 20,99,050 in Statement 'B' (new proposals). It will be necessary to incur expenditure on certain items before the dates of implementation in Punjab, Greater Bombay and Bangalore. These items are furniture, typewriters, special equipment for records, drama equipment required for registration, forms, stationery and printing, rent, rates and taxes and publicity. The increase of Rs. 3,44,000 over the expenditure provided under Statement 'A' in the original Budget Estimates is accounted for by increase against the aforementioned items.

*Item No. 30—Repayment of Loans to Central Government.*—The provision of Rs. 36,41,550 made in the revised estimates provides for the repayment of all loans taken so far from the Central Government. The original provision of Rs. 73,41,550 was made on the assumption that the loan of Rs. 35,00,000 to be drawn in 1952-53 would also be repaid in this year. It was not even necessary to take this loan at all.

## PART 'B'—BENEFITS

The expenditure incurred so far has been comparatively small as compared to the sanctioned estimates for the current year 1952-53. No expenditure has been incurred on sickness and maternity benefits till 31st October 1952, as these benefits began to be payable only from 23rd November, 1952. The provision made for payment of cash benefits under this part in the year 1952-53 has been on the basis of actuarial data. The payments under sickness benefits and maternity benefits make provision for the anticipated payments from 23rd November 1952 when the first benefit period in Delhi and Kanpur started. The amount provided for the capitalised value for the Permanent Disablement Benefits and Dependants' Benefits will be calculated and adjusted at the end of the financial year; hence no actual expenditure has been incurred under this head so far.

## PART 'C'—CAPITAL ACCOUNT

The provision of Rs. 17,000 made in the revised estimates for lands and buildings-purchase, construction and additions, is mainly on account of the expenditure expected to be adjusted during the current year on account of the construction of two local office buildings at Kishanganj and Subzimi for which amount had been advanced to the Central Public Works Department.

## PART 'D'—SUSPENSE ACCOUNT

The total provision made under this head is now Rs. 31,86,038 against the provision made originally of Rs. 14,13,970 in sanctioned measures and Rs. 9,30,000 in Statement 'B'—unsanctioned measures. The amount has become larger since, in addition to providing investments for Employees' State Insurance Contributory Provident Fund and for the other reserve funds, provision has also been made for investment of Rs. 20,00,000 estimated to be surplus to the current requirements for the running of the Scheme during 1952-53 out of the general cash balances of the Corporation.

## CLOSING BALANCE

It is anticipated that a sum of Rs. 44,44,630 will be the closing balance on 31-3-1953 after investments provided in Part 'D'—Suspense Account.

## Budget Estimates for the year 1953-54

## RECEIPTS

## PART 'A'—ADMINISTRATION

*Grant-in-Aid from the Central Government*

A sum of Rs. 21,14,000 is provided as grant-in-aid from the Central Government representing two-thirds of the anticipated administrative expenses of the Corporation during the year 1952-53. The other receipts provided under this head are:

- (i) Rs. 2,700 on account of rent from the portion of the Bombay building which it is anticipated may continue to be let out to certain officers during 1953-54 (the portion let out to Central Government will be required for the Regional Office when the Scheme is implemented in Bombay);
- (ii) Rs. 3,000 the receipt expected on account of the issue of duplicate identity cards to insured persons; and
- (iii) Rs. 100 on account of interest on loans granted to the officers and staff for purchase of motor cars, etc.

## PART 'B'—BENEFITS

The amount provided under this head represents contribution from employers in Delhi, Kanpur and Punjab for the whole of the year and in Greater Bombay and Bangalore for eleven months. The rate at which the employers' special contribution will be fixed when the Scheme is implemented in Punjab, Greater Bombay and Bangalore has not yet been fixed by the Central Government but provision has been made that the rate will be 2 1/2% all over India and 3% for the areas where the scheme is implemented, from 1st April, 1953.

## PART 'D'—SUSPENSE ACCOUNT

*Recovery of loans for purchase of motor cars and other conveyances*

The provision represents recoveries during the year of amounts advanced in the previous years and anticipated advances to be paid in the year 1953-54 for which a provision has been made on the expenditure side.

*Employees' State Insurance Contributory Provident Fund*

A sum of Rs. 2,72,500 has been provided as receipt of the Fund representing the contribution of the Corporation towards Provident Fund in respect of its employees as well as their subscriptions to the fund during the year 1953-54.

*Permanent Disablement and Dependents Benefit Fund*

The provision represents the capitalised value of the total liability of these benefits arising out of employment injuries during the year.

*Depreciation Fund Account*

A sum of Rs. 12,320 being 1 1/4% of the cost of the building purchased at Bombay and the two Local Offices constructed in Delhi has been provided under Depreciation Fund Account by debit to Part 'A'—Administration expenditure.

*Repairs and renewal reserve fund of buildings*

A sum of Rs. 13,650 has been provided under this head at 1 1/2% of the cost of the building purchased at Bombay and the two Local Offices constructed in Delhi by debit to Part 'A'—Administration expenditure. Any expenditure actually necessary during 1953-54 will be met out of this Fund.

## EXPENDITURE

## PART 'A'—ADMINISTRATION

*Pay of Officers and Establishment*

Details of the provision are given in Appendices I and II attached. The provision made is in respect of the staff actually required in the year and is within the number of posts already sanctioned by the Standing Committee or for which sanction is now asked for.

*Travelling and conveyance allowances*

The provision is made up of—

	Rs.
(i) Conveyance allowance of officers and staff of the Corporation who are likely to draw this allowance at the rates sanctioned . . . . .	40,000
(ii) Travelling allowance to members of the Corporation and the various Committees . . . . .	25,000
(iii) Travelling expenses of the officers and the staff of the Corporation on tours and transfers . . . . .	1,35,000
<b>TOTAL</b> . . . . .	<b>2,00,000</b>

*Dearness allowance, house rent allowance, city compensatory allowance and other allowances*

These are based on the sanctioned rates admissible to the officers and staff of the Corporation shown in Appendices I & II.

*Cost of furniture and general articles for office use*

The provision under this head represents the cost of furniture necessary for the officers and staff during 1953-54.

*Cost of typewriters, comptometers, duplicators, etc.*

The provision under this head represents the cost of typewriters and machines required for several offices of the Corporation.

*Expenditure on photographs of workers*

This provides the cost for photographs at -/8/- per head for insured persons in Punjab, Greater Bombay and Bangalore on registration and for labour turnover in Delhi and Kanpur during 1953-54.

*Repairs and renewal reserve of building*

A sum of Rs. 13,650 has been provided as repairs and renewal reserve of buildings purchased and constructed by the Corporation by corresponding receipt on the receipt side of the estimates under 'D'—Suspense Account. For expenditure anticipated to be incurred during 1953-54, a sum of Rs. 10,000 has been provided under Part 'D'—Suspense Account—Expenditure.

*Forms, stationery and printing*

The implementation of the Scheme in Punjab, Greater Bombay and Bangalore involves nearly 4,65,000 employees, or including labour turnover of 6,000,000 insured persons. The sum of Rs. 3,00,000 has, therefore, had to be provided for setting up the records of these insured persons as well as the labour turnover in Delhi and Kanpur as also for the normal stationery used by the offices of the Corporation.

*Rent, Rates and Taxes*

The provision under this head consists of—

	Rs.
(i) Rent of Government accommodation occupied by the Headquarters in New Delhi . . . . .	22,800
(ii) Rent of Regional, Local and Inspection Offices . . . . .	2,28,800
(iii) Electricity and water charges . . . . .	20,400
(iv) Rates and taxes and ground rent to be paid in respect of the building in Bombay and for the Local Offices in Delhi . . . . .	28,000
<b>TOTAL</b> . . . . .	<b>3,00,000</b>

*Postage, telegram and telephone charges*

This is based on anticipated expenditure likely to be incurred on these items. Expenditure on telephones accounts for Rs. 1,00,000 and on postage and telegrams Rs. 50,000. The expenditure on telegrams includes the provision which will be necessary in certain places for deposits for further telephones.

*Publicity and advertisement charges*

An *ad hoc* provision of Rs. 1,00,000 has been made on this account.

*Audit Fee*

A provision of Rs. 2,500 has been made. The fee paid for audit of the accounts for 1951-52 was Rs. 1,050.

*Miscellaneous Expenditure*

The provision of Rs. 56,400 made under this head includes Rs. 30,000 on account of liveries and Rs. 8,000 for books, periodicals and publications and the balance for miscellaneous expenses including remuneration of part-time sweepers in the Local and Inspection Offices of the Corporation and hot and cold weather charges for all the offices.

*Expenditure connected with Insurance Courts and Legal Charges*

*Ad hoc* provisions have been made on these accounts as follows :—

	Rs.
Insurance Courts]	85,000
Legal Charges . . . . .	25,000

*Expenditure connected with Regional Boards*

The provision of Rs. 2,000 has been made for expenditure in connection with the meetings of the Regional Boards together with the meetings of the Corporation, Standing Committee, Medical Benefit Council and Local Committees.

*General Charges*

These comprise of estimated amounts for :—

- (i) Leave and pension contributions in respect of employees loaned from Central and State Governments . . . . .
- (ii) Contributions by the Corporation to the Employees' State Insurance Provident Fund, and . . . . .
- (iii) Payments to be made to the bankers of the Corporation for services rendered . . . . .

**PART 'B'—BENEFITS***Sickness and maternity benefits and disablement benefits for temporary disablement*

The provision made is that expected to be incurred on these benefits as actuarially estimated.

*Capitalised value of permanent disablement benefits and dependants benefits*

In the case of permanent disablement and dependants benefits, the total liability arising out of anticipated employment injuries in the financial year 1953-54 has been capitalised and transferred to Part 'D'—Receipts of the Estimates. The amounts payable in the year is provided under Part 'D' Expenditure. The total liability is arrived at on the basis of the incidence of employment injuries resulting in deaths or permanent disablement estimated on the actuarial data.

*Medical Benefits*

The provision represents two-thirds of the estimated expenditure incurred in 1952-53 by the Governments of Punjab, Bombay, Uttar Pradesh and Delhi.

**PART 'D'—SUSPENSE ACCOUNT***Investments*

A sum of Rs. 1,90,08,470 is provided for investment in the year 1953-54 and is arrived at as follows :—

	Rs.
(i) Employees' State Insurance Contributory Provident Fund . . . . .	2,22,500
(ii) Permanent disablement and dependants benefit fund . . . . .	37,70,000
(This represents the capitalised value of the benefits Rs. 40,00,000 minus payments expected to be made out of this in the year 1953-54 Rs. 2,30,000).	
(iii) Depreciation Fund Account . . . . .	12,320
(iv) Repairs and renewal reserve fund of buildings (Rs. 13,650 less anticipated expenditure of Rs. 10,000) . . . . .	3,650
(v) Investments from general cash balances . . . . .	1,50,00,000
<b>TOTAL</b>	<b>1,90,08,470</b>



*Deposits and Advances*

No provision has been made under these heads as advances are paid against items of service for which necessary provision has been made in the relevant parts of the estimates.

*Loans to the employees of the Corporation*

A sum of Rs. 65,000 has been provided as loan to the officers and staff of the Corporation for the purchase of motor cars (Rs. 40,000) and other conveyances (Rs. 25,000).

*Payment of disablement and dependants benefits*

A sum of Rs. 2,30,000 has been provided for payment of permanent disablement and dependants benefits during the year on the basis of actuarial calculations.

**CLOSING BALANCE**

There will be a closing balance of Rs. 1,66,72,460 after investment of Rs. 1,50,00,000 out of general cash balance provided under Part 'D'—Suspense Account.

**NEW PROPOSALS****Budget Estimates for the year 1953-54**

This part of the estimates deals with the receipts and expenditure connected with the extension of the scheme in Coimbatore, Calcutta, Nagpur, Jubbulpore, Ahmedabad and Sholapur and the preliminary work to be done for the scheme proposed to be introduced at other places with concentrations of employees over 5,000.

**RECEIPTS**

The receipts during 1953-54 in this statement are mainly expected on account of contributions which have been calculated on actuarial data. The provision is made on the basis that the rate of special contribution will from October, 1953 be 3 1/2% for all over India and 4% for areas where scheme is applied in full.

**EXPENDITURE**

The expenditure on pay and allowances is in respect of the officers and staff as detailed in Appendices III & IV attached. Other incidental charges provided under various heads are based either on scales or with reference to the amounts provided in the part relating to sanctioned measures. It is anticipated that there will be a closing balance of Rs. 85,71,300 on account of these measures.

## STATEMENT 'A'

## EMPLOYEES' STATE INSURANCE CORPORATION

Revised Budget Estimates for the year 1952-53 and Budget Estimates for the year 1953-54

## RECEIPTS

Heads of Account	Actuals for the past three years			Sanctioned estimate for the current year 1952-53		Actuals of 7 months of the current year 1952-53	Anticipated receipts of 5 months of the current year 1952-53	Revised estimates for the current year 1952-53	Budget estimates for the next year 1953-54
	1949-50	1950-51	1951-52	Sanctioned measures	New Proposals				
I	2	3	4	5	6	7	8	9	10
'A'—ADMINISTRATION									
I. Grant-in-aid from Central Government.	...	2,92,068	7,08,420	11,35,200	10,500	...	9,12,700	9,12,700	21,14,000
II. Donations and Gifts	...	...	...	...	...	...	...	...	...
III. Interests on loans and advances.	...	...	319	...	...	...	...	...	100
IV. Recoveries of overpayments and disallowances in audit.	...	...	...	...	...	...	...	...	...
V. Loans from Central Government.	15,00,000	13,50,000	10,00,000	35,00,000	...	...	...	...	...
VI. Recoveries of rent of Corporation's building.	...	485	1,906	62,800	...	1,572	61,228	62,800	2,700
VII. Transferred from Part 'B'—Benefits.	...	...	...	62,06,350	...	28,41,548	8,00,002	36,41,550	...
VIII. Miscellaneous	...	706	32,543	...	...	2,536	264	2,800	3,000
<b>TOTAL RECEIPTS OF PART 'A'</b>	<b>15,00,000</b>	<b>16,43,259</b>	<b>17,43,188</b>	<b>1,09,04,350</b>	<b>10,500</b>	<b>28,45,656</b>	<b>17,74,194</b>	<b>46,19,850</b>	<b>21,19,800</b>

## ' B '—BENEFITS

IX. Contributions . . .	...	...	1,24,109	1,44,79,000	20,40,000	89,80,723	50,49,277	1,40,30,000	4,55,00,000
X. Donations and Gifts . . .	...	...	...	...	...	...	...	...	...
XI. Compensation charges payable by employers. . .	...	...	...	...	...	...	...	...	...
XII. Share of State Government Contributions. . .	...	...	...	...	...	...	...	...	...
XIII. Loans from Central Government. . .	...	...	...	...	...	...	...	...	...
<i>Deduct</i> —Amount transferred to Part 'A'—Administration to meet payment of loan. . .	...	...	...	(-)62,06,350	...	(-)28,41,548	(-)8,00,002	(-)36,41,550	...
TOTAL RECEIPTS OF PART 'B'	...	...	1,24,109	82,72,650	20,40,000	61,39,175	42,49,275	1,03,88,450	4,55,00,000

## ' C '—CAPITAL ACCOUNT

XIV. Lands and buildings—Sale proceeds. . .	...	...	...	...	...	...	...	...	...
TOTAL RECEIPTS OF PART 'C'	...	...	...	...	...	...	...	...	...

## ' D '—SUSPENSE ACCOUNT

XV. Investments :—Realisation on maturity or sale. . .	...	...	...	...	...	...	...	...	...
XVI. Deposits :—									
(a) Security deposits with interest. . .	200	3,680	50	...	...	1,250	...	1,250	...
(b) Deductions from bills payable to other parties. . .	28,987	54,035	57,884	...	...	39,418	...	39,418	...
(c) Miscellaneous . . .	277	8,71,882	94,221	...	...	3,664	28,925	32,589	...

I	2	3	4	5	6	7	8	9	10
‘D’—SURPLUS ACCOUNT— <i>contd.</i>									
XVII. Recoveries of advance :—									
(a) Permanent advances .	...	...	...	...	...	..	...	...	...
(b) Other advances :—									
(i) Recovery of advances of pay on transfer.	...	800	900	...	...	908	150	[1,058	...
(ii) Recovery of advance of T. A. on transfer.	...	100	[1,655	...	...	2,46	74	[2,541	...
(iii) Recovery of advance of pay and for purchase of furniture on transfer to Bombay.	...	...	...	...	...	...	..	..	...
(iv) Miscellaneous .	[2,800	[7,593	3,055	...	...	[4,104	[38,941	[45,045	...
XVIII. Recoveries of loans to the employees of the Corporation :—									
(a) Recovery of loan for purchase of motor cars.	...	2,358	[7,569	8,450	...	[1,746	[1,95	3,790	[13,900
(b) Recovery of loan for purchase of other conveyances.	...	...	...	[6,250	...	1,850	[2,850	54,700	[11,900
XIX. Employees' State Insurance Contributory Provident Fund.	[1,110	17,673	[69,762	[1,88,000	862,400	54,282	1,45,318	11,99,600	[3,72,500
XX. Permanent disablement and dependants benefit fund.	...	...	...	[11,79,000	8,65,000	...	[8,00,000	[8,00,000	40,00,000
XXI. Depreciation fund Account of Buildings.	...	...	[11,950	[12,320	...	...	[12,320	[12,320	[12,320
XXII. Repairs and Renewal Reserve Fund of buildings.	...	...	[13,650	[13,650	...	...	[13,650	[13,650	[13,650
TOTAL RECEIPTS OF PART ‘D’	33,374	9,58,031	2,60,696	14,07,670	9,27,400	1,11,689	10,44,182	11,55,871	43,24,270

Summary									
TOTAL RECEIPTS OF PART 'A'	15,00,000	16,43,259	17,43,188	1,09,04,350	10,500	28,45,656	17,74,194	1,46,19,850	1,21,19,800
TOTAL RECEIPTS OF PART 'B'	...	...	1,24,109	82,72,650	20,40,000	61,39,175	42,49,275	1,03,88,450	4,55,00,000
TOTAL RECEIPTS OF PART 'C'	...	...	...	...	...	...	...	...	...
TOTAL RECEIPTS OF PART 'D'	133,374	9,58,031	2,60,696	14,07,670	9,27,400	1,11,689	10,44,182	11,55,871	1,43,24,270
TOTAL RECEIPTS . .	15,33,374	1,26,01,290	21,27,993	2,05,84,670	1,29,77,900	90,96,520	1,06,67,651	1,61,64,171	5,19,44,070
OPENING BALANCE .	1,474	1,10,33,475	4,31,447	5,77,926	...	9,28,147	1,59,63,458	9,28,147	1,44,44,630
Transfer of Funds from State- ment 'A' (See mentioned measure).	...	...	...	...	15,25,150	...	...	...	...
GRAND TOTAL . .	15,34,848	1,36,34,765	25,59,440	2,11,62,596	45,03,050	1,00,24,667	1,30,31,109	1,70,92,318	5,63,88,700

**EMPLOYEES' STATE INSURANCE CORPORATION**

STATEMENT 'A'

Revised Budget Estimates for the year 1952-53 and Budget Estimates for the year 1953-54

**EXPENDITURE**

Heads of Account	Actuals for the past three years			Sanctioned estimates for the current year 1952-53		Actuals of 7 months of the current year 1952-53	Anticipated expenditure of 5 months of the current year 1952-53	Revised Estimates for the current year 1952-53	Budget Estimates for the next year 1953-54
	1949-50	1950-51	1951-52	Sanctioned measures	New Proposals				
1	2	3	4	5	6	7	8	9	10
<b>'A'—ADMINISTRATION</b>									
1. Pay of Officers . . .	1,39,820	2,43,671	2,81,630	4,65,700	1,38,000	2,04,125	2,06,175	4,10,300	6,50,500
2. Pay of Establishment . .	56,992	2,46,409	3,68,138	7,12,900	3,56,000	2,92,687	4,18,413	4,11,100	15,30,400
3. Travelling and conveyance allowance.	17,803	19,926	22,269	1,97,280	17,400	28,254	71,746	1,00,000	2,00,000
4. Dearness allowance . . .	41,454	1,53,861	2,42,516	4,74,600	2,62,200	1,99,852	2,90,148	4,90,000	10,19,500
5. House Rent Allowance . .	8,908	42,068	59,512	1,25,000	73,000	51,566	89,434	1,41,000	2,94,400
6. City Compensatory Allowance.	3,583	16,040	24,599	64,900	45,400	24,700	42,300	67,000	1,54,100
7. Other Allowances . . .	2,190	6,170	9,470	26,600	9,000	6,776	18,724	25,500	47,000
8. Cost of furniture and general articles for office use.	10,889	51,896	6,953	60,000	1,25,000	20,187	79,813	1,00,000	1,00,000
9. Cost of typewriters, comptometers, duplicators, calculating machines.	14,363	19,065	11,722	34,400	62,400	22,881	40,719	63,600	50,000

10. Special equipment for records, etc.	..	51,591	5,948	2,000	1,48,000	162	74,838	75,000	1,56,000
11. Cost of cycles	1,001	512	174	1,200	6,050	3	4,997	5,000	9,000
12. Expenditure connected with Adrema Equipment for registration.	..	26,441	53,703	27,000	2,00,000	3,625	1,16,375	1,20,000	1,71,000
13. Expenditure on photographs of workers.	..	..	..	82,500	2,00,000	..	82,500	82,500	3,28,000
14. Hire of tabulating machines	..	..	..	..	25,000	..	..	..	25,000
15. Repairs and maintenance of furniture equipment etc.	154	861	1,152	10,350	5,000	772	9,228	10,000	15,000
16. Repairs and renewals reserve of buildings.	..	..	13,650	13,650	..	..	13,650	13,650	13,650
17. Depreciation on buildings	..	..	11,950	12,320	..	..	12,320	12,320	12,320
18. Forms, Stationery and Printing.	3,821	44,697	20,680	55,000	2,00,000	9,089	1,90,911	2,00,000	3,00,000
19. Rent, Rates & Taxes	1,306	40,107	75,012	1,16,500	62,600	51,068	98,932	1,50,000	3,00,000
20. Postage, Telegram and Telephone Charges.	41,339	20,455	37,774	44,100	13,500	19,576	38,024	57,600	1,50,000
21. Publicity and Advertisement charges.	1,975	1,017	6,722	40,000	50,000	23,988	46,012	70,000	1,00,000
22. Audit fee	..	900	540	2,000	..	1,050	..	1,050	2,500
23. Miscellaneous expenditure	4,916	16,119	21,138	43,500	40,000	16,339	28,261	44,600	56,400
24. Printing charges of contribution stamps.	..	6,485	1,409	6,000	8,500	4,805	14,175	18,980	50,000
25. Expenditure connected with Insurance Courts.	..	..	..	15,600	12,000	..	18,700	18,700	85,700

I	2	3	4	5	6	7	8	9	10
26. Legal Charges . . .	..	..	..	25,000	2,000	..	10,000	10,000	25,000
27. Expenditure connected with Medical Boards.	..	..	..	2,500	5,000	..	2,000	2,000	15,000
28. Expenditure connected with Regional Boards.	..	..	..	2,000	1,000	..	400	400	2,000
29. General Charges . . .	5,445	64,717	1,17,956	2,30,500	32,000	35,321	2,01,479	2,36,800	1,50,000
Total of Items 1 to 29	3,55,959	10,73,008	13,94,617	28,93,100	20,99,050	10,16,826	22,20,274	32,37,100	60,05,770
30. Payment of loans to Central Government.	..	2,92,068	..	73,41,550	..	28,41,548	8,00,002	36,41,550	..
TOTAL EXPENDITURE OF PART 'A'.	3,55,959	13,65,076	13,94,617	1,02,34,650	20,99,050	38,58,374	30,20,276	68,78,650	60,05,770

## 'B'—BENEFITS

31. Sickness benefits . . .	..	..	..	21,75,000	..	..	11,25,000	11,25,000	65,00,000
32. Maternity benefits . . .	..	..	..	82,000	..	..	8,000	8,000	3,25,000
33. Disablement benefits for temporary disablement.	..	..	482	8,28,000	6,09,000	44,908	3,55,092	4,00,000	29,00,000
34. Capitalised value for the permanent disablement benefits and dependants benefits.	..	..	..	11,79,000	8,65,000	..	8,00,000	8,00,000	40,00,000
35. Medical benefits :—									
(i) Payment of Corporation's share of expenditure incurred by State Government.	..	..	..	2,20,400	..	..	2,33,000	2,33,000	6,19,000



(ii) Expenditure incurred directly by the Corporation, e. g., Hospitalisation chargeable to Revenues.	..	..	..	..	..	..	..	..	..
36. Repayment of loans to Central Government.	..	..	..	..	..	..	..	..	..
37. Miscellaneous	..	..	..	..	..	..	..	..	..
TOTAL EXPENDITURE OF PART 'B'.	..	..	482	44,84,400	14,74,000	44,908	25,21,092	25,66,000	1,43,44,000

## 'C'—CAPITAL ACCOUNT

38. Lands and buildings—purchase, construction and additions.	..	8,74,283	90,780	..	..	140	16,860	17,000	..
TOTAL EXPENDITURE OF PART 'C'.	..	8,74,283	90,780	..	..	140	16,860	17,000	..

## 'D'—SUSPENSE ACCOUNT

39. Investments—Fixed deposits or purchase of securities.	1,110	17,670	37,150	13,46,970	9,17,900	76,615	29,41,485	30,18,100	1,90,08,470
40. Deposits :—									
(a) Refund of security deposits.	..	3,105	675	..	..	250	1,150	1,400	..
(b) Payment of deductions from bills payable to other parties.	28,987	53,683	57,993	..	..	38,906	755	39,661	..
(c) Miscellaneous	1,12,017	8,69,398	17,288	..	..	266	..	266	..

	1	2	3	4	5	6	7	8	9	
41. Advances :—										
(a) Permanent advance .		500	750	1,000	1,000	2,600	150	1,850	2,000	3,000
(b) Other advances :—										
(i) Advance of pay on transfer .	..		800	1,150	..	..	808	..	808	..
(ii) Advance of travelling allowance on transfer .	..		100	2,635	..	..	1,561	..	1,561	..
(iii) Advance of pay and for purchase of furniture to staff on transfer to Bombay .	..		..	..	..	..	..	..	..	..
(iv) Miscellaneous .		2,800	7,503	15,858	..	..	32,242	..	32,242	..
42. Loans to the employees of the Corporation :—										
(a) Loan for purchase of motor cars .	..		10,950	9,000	17,000	..	..	17,000	17,000	40,000
(b) Loan for purchase of other conveyances .	..		..	1,980	8,000	..	4,356	3,644	8,000	25,000
43. Employees' State Insurance Contributory Provident Fund :—										
(a) Repayment to employees .	..		..	..	..	..	1,715	23,285	25,000	50,000
44. Payment of disablement and dependants benefits .	..		..	..	46,000	9,500	664	29,336	30,000	2,30,000
45. Payment of Repairs and Renewals of buildings .	..		..	685	..	..	254	9,746	10,000	10,000
TOTAL—EXPENDITURE OF PART 'D'.		1,45,414	9,63,959	1,45,414	14,18,970	9,30,000	1,57,787	30,28,251	31,86,038	1,93,66,470

<i>Summary</i>									
TOTAL EXPENDITURE OF PART 'A'.	3,55,959	13,65,076	13,94,617	1,02,34,650	20,99,050	38,58,374	30,20,276	68,78,650	60,65,770
TOTAL EXPENDITURE OF PART 'B'.	..	..	482	44,84,400	14,74,000	44,908	25,21,092	25,66,000	1,43,44,000
TOTAL EXPENDITURE OF PART 'C'.	..	8,74,283	90,780	..	..	140	16,860	17,000	..
TOTAL EXPENDITURE OF PART 'D'.	1,45,414	9,63,959	1,45,414	14,18,970	9,30,000	1,57,787	30,28,251	31,86,038	1,93,66,470
TOTAL EXPENDITURE	5,01,373	32,03,318	16,31,293	1,61,38,020	45,03,050	40,61,209	85,86,479	1,26,47,688	3,97,16,240
CLOSING BALANCE	10,33,475	4,31,447	9,28,147	34,99,426	..	59,63,458	44,44,630	44,44,630	1,66,72,460
TRANSFER OF FUNDS TO STATEMENT 'B' (NEW PROPOSALS.)	..	..	..	15,25,150	..	..	..	..	..
GRAND TOTAL	15,34,848	36,34,765	25,59,440	2,11,62,596	45,03,050	1,00,24,667	1,30,31,109	1,70,92,318	5,63,88,700

**EMPLOYEES' STATE INSURANCE CORPORATION**  
**Budget Estimates for the New Proposals for the Year 1953-54.**

**RECEIPTS****EXPENDITURE**

Heads of Account	Amount	Heads of Account	Amount
	Rs.		Rs.
<b>'A'—ADMINISTRATION</b>			
I. Grant-in-aid from Central Government.		1. Pay of Officers . . . . .	1,95,900
II. Donations and Gifts.		2. Pay of Establishment . . . . .	11,75,800
III. Interests on loans and advances.		3. Travelling and conveyance allowance . . . . .	1,26,000
IV. Recoveries of overpayments and disallowances in audit.		4. Dearness allowance . . . . .	8,59,000
V. Loans from Central Government.		5. House Rent Allowance . . . . .	2,53,800
VI. Recoveries of rent of Corporation's building.		6. City Compensatory Allowance . . . . .	1,56,650
VII. Transferred from Part 'B' Benefits.		7. Other allowances . . . . .	46,100
VIII. Miscellaneous . . . . .	1,000	8. Cost of furniture and general articles for Office use . . . . .	4,83,000
		9. Cost of typewriters, comptometers, duplicators, calculating machines. . . . .	1,74,200
		10. Special equipment for records etc. . . . .	6,49,000
		11. Cost of cycles . . . . .	26,400
		12. Expenditure connected with Adrema equipment for registration . . . . .	6,20,000
		13. Expenditure on photographs of workers . . . . .	4,80,000
		14. Hire of tabulating machines . . . . .	25,000
		15. Repairs and maintenance of furniture, equipment, etc. . . . .	1,550
		16. Repairs and renewals reserve of buildings. . . . .	...
		17. Depreciation on buildings . . . . .	...
		18. Forms, Stationery and Printing . . . . .	10,00,000
		19. Rent, Rates and Taxes . . . . .	3,81,000
		20. Postage, telegram and telephone charges . . . . .	4,18,500
		21. Publicity and advertisement charges . . . . .	4,50,000
		22. Audit Fee . . . . .	...
		23. Miscellaneous expenditure . . . . .	96,000
		24. Printing charges of Contribution stamps . . . . .	80,000

		25. Expenditure connected with Insurance Courts . . . . .	60,000
		26. Legal charges . . . . .	15,000
		27. Expenditure connected with Medical Boards . . . . .	10,000
		28. Expenditure connected with Regional Boards . . . . .	1,000
		29. General Charges . . . . .	1,04,800
		30. Repayment of loans to Central Government . . . . .	...
TOTAL RECEIPTS OF PART 'A' . . . . .	1,000	TOTAL EXPENDITURE OF PART 'A' . . . . .	78,88,700
'B'—BENEFITS.			
IX. Contributions . . . . .	2,20,00,000	31. Sickness benefits . . . . .	...
X. Donations and gifts . . . . .	...	32. Maternity benefits . . . . .	...
XI. Compensation charges payable by employers . . . . .	...	33. Disablement benefits for temporary disablement . . . . .	23,00,000
XII. Share of State Govt. Contributions . . . . .	...	34. Capitalised value for the permanent disablement benefits and dependants benefits. . . . .	32,00,000
XIII. Loans from Central Government. . . . .	...	35. Medical benefits :—	
<i>Deduct—</i>		(i) Payment of Corporation's share of expenditure incurred by State Government. . . . .	...
Amount transferred to Part 'A' . . . . .	...	(ii) Expenditure incurred directly by the Corporation e.g. Hospitalisation chargeable to Revenues. . . . .	...
Administration to meet payment of loan . . . . .	...	36. Repayment of loans to Central Government . . . . .	...
		37. Miscellaneous . . . . .	...
TOTAL RECEIPTS OF PART 'B' . . . . .	2,20,00,000	TOTAL EXPENDITURE OF PART 'B' . . . . .	55,00,000
'C'—CAPITAL ACCOUNT			
XIV. Lands and buildings—sale proceeds . . . . .	...	38. Lands and buildings—Purchase, construction and additions. . . . .	...
TOTAL RECEIPTS OF PART 'C' . . . . .	...	TOTAL EXPENDITURE OF PART 'C' . . . . .	...
'D'—SUSPENSE ACCOUNT			
XV. Investments. . . . .		39. Investments—Fixed deposits or purchase of securities . . . . .	33,32,200
Realisation on maturity or sale. . . . .		40. Deposits :—	
XVI. Deposits :—		(a) Refund of security deposits. . . . .	...
(a) Security deposits with interest. . . . .		(b) Payment of deductions from bills payable to other parties. . . . .	...
(b) Deductions from bills payable to other parties . . . . .		(c) Miscellaneous . . . . .	...
(c) Miscellaneous . . . . .			

Heads of Account	Amount	Heads of Account	Amount
	Rs.		Rs.
XVII. Recoveries of advances :		41. Advances :	
(a) Permanent advances.		(a) Permanent advance. . . . .	7,000
(b) Other advances :—		(b) Other advances :—	
(i) Recovery of advances of pay on transfer.		(i) Advance of pay on transfer.	
(ii) Recovery of advance of T. A. on transfer.		(ii) Advance of T. A. on transfer	
(iii) Recovery of advance of pay and for purchase of furniture on transfer to Bombay.		(iii) Advance of pay and for purchase of furniture to staff on transfer to Bombay.	
(iv) Miscellaneous		(iv) Miscellaneous.	
XVIII. Recoveries of loans to the employees of the Corporation :—		42. Loans to the employees of the Corporation :	
(a) Recovery of loans for purchase of motor cars .	3,000	(a) Loan for purchase of motor cars . . . . .	20,000
(b) Recovery of loan for purchase of other conveyances	8,000	(b) Loan for purchase of other conveyances . . . . .	25,000
XIX. Employees' State Insurance Contributory Provident Fund.	1,72,200	43. Employees' State Insurance Contributory Provident Fund.	
XX. Permanent disablement and dependants benefit fund	32,00,000	(a) Repayment to employees.	
XXI. Depreciation fund Account of buildings	...	44. Payment of disablement and dependants benefits .	40,000
XXII. Repairs and Renewal Reserve Fund of Buildings .	...	45. Payment of Repairs and Renewals of buildings.	
TOTAL RECEIPTS OF PART 'D' . . . . .	33,83,200	TOTAL EXPENDITURE OF PART 'D' . . . . .	34,24,200
SUMMARY			
TOTAL RECEIPTS OF PART 'A' . . . . .	1,000	TOTAL EXPENDITURE OF PART 'A' . . . . .	78,88,700
TOTAL RECEIPTS OF PART 'B' . . . . .	2,20,00,000	TOTAL EXPENDITURE OF PART 'B' . . . . .	55,00,000
TOTAL RECEIPTS OF PART 'C' . . . . .	...	TOTAL EXPENDITURE OF PART 'C' . . . . .	...
TOTAL RECEIPTS OF PART 'D' . . . . .	33,33,200	TOTAL EXPENDITURE OF PART 'D' . . . . .	34,24,200
TOTAL RECEIPTS . . . . .	2,53,84,200	TOTAL EXPENDITURE . . . . .	1,68,12,900
OPENING BALANCE . . . . .	...	CLOSING BALANCE . . . . .	85,71,300
GRAND TOTAL . . . . .	2,53,84,200	GRAND TOTAL . . . . .	2,53,84,200

## APPENDIX I

Budget Estimates for the Year 1953-54  
SANCTIONED MEASURES

## DETAILS OF EXPENDITURE PROVIDED UNDER HEAD 1—PAY OF OFFICES

Designation of posts with scales of pay	No. of posts for which provision made with dates	Provision made
1	2	3
HEADQUARTERS		Rs.
Director General (Rs. 3,000)	1 (from 1-3-1953)	36,000
Medical Commissioner (Rs. 2,000)	1 (from 1-3-1953)	24,000
Insurance Commissioner (Rs. 1,600—1,800)	1 (from 1-3-1953)	19,894
Chief Accounts Officer (Rs. 1,300—1,600)	1 (from 1-3-1953)	15,750
Actuary (Rs. 1,000—1,500)	1 (from 1-3-1953)	12,150
Director of Establishment (Rs. 1,000—1,400)	1 (from 1-3-1953)	12,150
Deputy Insurance Commissioner (Rs. 600—1,150)	1 (from 1-3-1953)	8,716
Public Relations Officer (Rs. 600—1,150)	1 (from 1-7-1953)	4,800
Administrative Officer (Rs. 530—850)	1 (from 1-3-1953)	7,920
Assistant Insurance Commissioners (Rs. 350—800)	4 (from 1-3-1953)	26,185
Assistant Accounts Officers (Rs. 350—800)	3 (from 1-3-1953)	18,807
Assistant Medical Commissioner (Rs. 350—800)	1 (from 1-3-1953)	9,600
Assistant Director (Co-ordination) (Rs. 350—800)	1 (from 1-3-1953)	4,275
Assistant Director (Training) (Rs. 350—800)	1 (from 1-3-1953)	4,275
Planning Officer Grade I (Medical) (Rs. 350—800)	1 (from 1-3-1953)	6,012
Planning Officer Grade I (Insurance) (Rs. 350—800)	1 (from 1-3-1953)	4,275
Assistant Directors of Establishment (Rs. 325—650)	2 (from 1-3-1953)	10,425
Planning Officer Grade II (Rs. 250—500)	1 (from 1-3-1953)	3,030
	TOTAL	2,28,264

1	2	3
REGIONAL OFFICES		Rs.
<i>Delhi</i>		
Regional Director (Rs. 600—1,150)	1 (from 1-3-1953)	12,148
Assistant Insurance Commissioners (Rs. 350—800)	3 (from 1-3-1953)	15,827
Medical Referees (Rs. 350—800)	2 (from 1-3-1953)	13,726
Assistant Accounts Officer (Rs. 350—800)	1 (from 1-3-1953)	4,838
Insurance Inspectors (Rs. 250—600)	2 (from 1-3-1953)	9,375
TOTAL		55,914
<i>Kanpur</i>		
Regional Director (Rs. 600—1,150)	1 (from 1-3-1953)	10,657
Assistant Insurance Commissioners (Rs. 350—800)	3 (from 1-3-1953)	16,562
Assistant Accounts Officer (Rs. 350—800)	1 (from 1-3-1953)	5,966
Medical Referee (Rs. 350—800)	1 (from 1-3-1953)	9,600
Insurance Inspectors (Rs. 250—600)	3 (from 1-3-1953)	12,864
TOTAL		55,649
<i>Bombay</i>		
Regional Director (Rs. 600—1,150)	1 (from 1-3-1953)	8,797
Assistant Insurance Commissioners (Rs. 350—800)	9 (from 1-3-1953)	46,027
Assistant Accounts Officers (Rs. 350—800)	2 (from 1-3-1953)	8,540
Medical Referees (Rs. 350—800)	7 (from 1-3-1953)	29,775
Insurance Inspectors (Rs. 250—600)	10 (from 1-3-1953)	31,719
TOTAL		1,24,858



1	2	3
<i>Calcutta</i>		Rs.
Regional Director . . . . . (Rs. 600—1,150)	1 (from 1-3-1953)	12,099
Assistant Insurance Commissioners . . . . . (Rs. 350—800)	2 (from 1-3-1953)	9,980
Assistant Accounts Officer . . . . . (Rs. 350—800)	1 (from 1-3-1953)	4,275
Insurance Inspectors . . . . . (Rs. 250—600)	6 (from 1-3-1953)	23,370
TOTAL		49,724
<i>Madras</i>		
Regional Director . . . . . (Rs. 600—1,150)	1 (from 1-3-1953)	8,795
Assistant Insurance Commissioners . . . . . (Rs. 350—800)	3 (from 1-3-1953)	12,800
Assistant Accounts Officer . . . . . (Rs. 350—800)	1 (from 1-3-1953)	5,115
Medical Referee . . . . . (Rs. 350—800)	1 (from 1-3-1953)	4,275
Insurance Inspectors . . . . . (Rs. 250—600)	8 (from 1-3-1953)	23,325
TOTAL		54,310
LOCAL OFFICES		
<i>Delhi</i>		
Manager Grade I . . . . . (Rs. 250—600)	1 (from 1-3-1953)	3,644
<i>Kanpur</i>		
Managers Grade I . . . . . (Rs. 250—600)	4 (from 1-3-1953)	16,339
<i>Bombay</i>		
Managers Grade I . . . . . (Rs. 250—600)	10 (from 1-3-1953)	30,500
GRAND TOTAL		6,19,202
Add leave salary		31,298
TOTAL		6,50,500

## APPENDIX II

## Budget Estimates for the Year 1953-54

## SANCTIONED MEASURES

## DETAILS OF EXPENDITURE PROVIDED UNDER HEAD 2 - PAY OF ESTABLISHMENT

Designation of posts with scales of pay	No. of posts for which provision made with dates	Provision made
1	2	3
HEADQUARTERS		Rs.
Senior Superintendents . . . . . (Rs. 400—500)	6 (from 1-3-1953)	31,052
Private Secretary to Director-General . . . . . (Rs. 300—400)	1 (from 1-3-1953)	4,274
Junior Superintendents . . . . . (Rs. 250—400)	8 (from 1-3-1953)	26,829
Assistants . . . . . (Rs. 160—450)	21 (from 1-3-1953)	44,760
Artist . . . . . (Rs. 160—330)	1 (from 1-3-1953)	2,197
Cashier . . . . . (Rs. 80—220 and S.P. of Rs. 20)	1 (from 1-3-1953)	1,968
Upper Division Clerks . . . . . (Rs. 80—220)	44 (from 1-3-1953)	48,240
Lower Division Clerks . . . . . (Rs. 55—130)	61 (from 1-3-1953)	45,964
Personal Assistant to Director-General . . . . . (Rs. 160—330 and S. P. of Rs. 40)	1 (from 1-3-1953)	2,871
Stenographers . . . . . (Rs. 80—220)	13 (from 1-3-1953)	13,268
Personal Assistants to Principal Officers . . . . . (Rs. 160—330)	4 (from 1-3-1953)	9,376
Caretaker . . . . . (Rs. 100—300)	1 (from 1-3-1953)	1,230
Gestetner Operator . . . . . (Rs. 40—60)	1 (from 1-3-1953)	521
Liftman . . . . . (Rs. 35—50)	2 (from 1-3-1953)	846
Daftries . . . . . (Rs. 35—50)	7 (from 1-3-1953)	3,158
Jamadar . . . . . (Rs. 30—35)	1 (from 1-3-1953)	446
Peons . . . . . (Rs. 30—35)	34 (from 1-3-1953)	12,877
TOTAL C/F		2,49,877

1		2	3
			Rs
		TOTAL B/F	2,49,877
Farash . . . . .		2	722
(Rs. 30—35)		(from 1-3-1953)	
Sweepers . . . . .		2	744
(Rs. 30—35)		(from 1-3-1953)	
Chowkidars . . . . .		2	724
(Rs. 30—35)		(from 1-3-1953)	
		TOTAL	2,52,067

## REGIONAL OFFICES

*Delhi*

Insurance Inspectors . . . . .		4	10,638
(Rs. 200—400)		(from 1-3-1953)	
Superintendents . . . . .		2	6,164
(Rs. 250—400)		(from 1-3-1953)	
Head Clerks . . . . .		2	4,223
(Rs. 160—250)		(from 1-3-1953)	
Accountant . . . . .		1	1,642
(Rs. 130—355)		(from 1-3-1953)	
Sick Visitors . . . . .		2	3,900
(Rs. 160—330)		(from 1-3-1953)	
Upper Division Clerks . . . . .		11	11,745
(Rs. 80—220)		(from 1-3-1953)	
Stenographers . . . . .		4	4,223
(Rs. 80—220)		(from 1-3-1953)	
Cashier . . . . .		1	1,193
(Rs. 55—130 and S.P. of Rs. 30)		(from 1-3-1953)	
Lower Division Clerks . . . . .		27	19,226
(55—130)		(from 1-3-1953)	
Adrema Operators . . . . .		2	1,332
(Rs. 55—130)		(from 1-3-1953)	
Daftries . . . . .		7	3,044
(Rs. 35—50)		(from 1-3-1953)	
Peons . . . . .		13	4,846
(Rs. 30—35)		(from 1-3-1953)	
Farash . . . . .		1	373
(Rs. 30—35)		(from 1-3-1953)	
Chowkidar . . . . .		1	376
(Rs. 30—35)		(from 1-3-1953)	
Sweeper . . . . .		1	375
(Rs. 30—35)		(from 1-3-1953)	
		TOTAL	73,300

I		2	3
<i>Kanpur</i>			Rs.
Insurance Inspectors	. . . . .	4	10,239
(Rs. 200—400)		(from 1-3-1953)	
Superintendents	. . . . .	4	13,579
(Rs. 250—400)		(from 1-3-1953)	
Sick Visitors	. . . . .	3	5,975
(Rs. 160—330)		(from 1-3-1953)	
Upper Division Clerks	. . . . .	11	11,686
(Rs. 80—220)		(from 1-3-1953)	
Stenographers	. . . . .	3	3,111
(Rs. 80—220)		(from 1-3-1953)	
Cashier	. . . . .	1	1,124
(Rs. 55—130 and S.P. of Rs. 30)		(from 1-3-1953)	
Lower Division Clerks	. . . . .	29	21,162
(Rs. 55—130)		(from 1-3-1953)	
Adrema Operators	. . . . .	2	1,332
(Rs. 55—130)		(from 1-3-1953)	
Daftries	. . . . .	5	2,209
(Rs. 35—50)		(from 1-3-1953)	
Peons	. . . . .	14	5,195
(Rs. 30—35)		(from 1-3-1953)	
Farash	. . . . .	1	375
(Rs. 30—35)		(from 1-3-1953)	
Chowkidar	. . . . .	1	367
(Rs. 30—35)		(from 1-3-1953)	
Sweeper	. . . . .	1	377
(Rs. 30—35)		(from 1-3-1953)	
		TOTAL	76,731

<i>Bombay</i>			
Insurance Inspectors	. . . . .	8	20,356
(Rs. 200—400)		(from 1-3-1953)	
Insurance Inspectors	. . . . .	7	13,580
(Rs. 160—330)		(from 1-3-1953)	
Superintendents	. . . . .	10	30,330
(Rs. 250—400)		(from 1-3-1953)	
Head Clerks	. . . . .	2	3,979
(Rs. 160—250)		(from 1-3-1953)	
Sick Visitors	. . . . .	14	27,160
(Rs. 160—330)		(from 1-3-1953)	
Upper Division Clerks	. . . . .	46	46,405
(Rs. 80—220)		(from 1-3-1953)	
Stenographers	. . . . .	11	10,784
(Rs. 80—220)		(from 1-3-1953)	
Cashiers	. . . . .	2	2,077
(Rs. 55—130 and S.P. of Rs. 30)		(from 1-3-1953)	
Lower Division Clerks	. . . . .	144	96,623
(Rs. 55—130)		(from 1-3-1953)	
Daftries	. . . . .	15	6,364
(Rs. 35—50)		(from 1-3-1953)	
Peons	. . . . .	30	10,858
(Rs. 30—35)		(from 1-3-1953)	
Farash	. . . . .	2	724
(Rs. 30—35)		(from 1-3-1953)	
Chowkidars	. . . . .	2	727
(Rs. 30—35)		(from 1-3-1953)	
Sweepers	. . . . .	2	735
(Rs. 30—35)		(from 1-3-1953)	
		TOTAL	2,70,702

	I	2	3
			Rs.
<i>Calcutta</i>			
Insurance Inspectors (Rs. 200—400)	.	6 (from I-3-1953)	15,711
Superintendent (Rs. 250—400)	.	1 (from I-3-1953)	3,045
Head Clerks (Rs. 160—250)	.	2 (from I-3-1953)	4,013
Cashier (Rs. 55—130 and S.P. of Rs. 30)	.	1 (from I-3-1953)	1,029
Stenographers (Rs. 80—220)	.	2 (from I-3-1953)	1,960
Upper Division Clerks (Rs. 80—220)	.	12 (from I-3-1953)	11,911
Lower Division Clerks (Rs. 55—130)	.	30 (from I-3-1953)	20,366
Daftries (Rs. 35—50)	.	4 (from I-3-1953)	1,718
Peons (Rs. 30—35)	.	15 (from I-3-1953)	5,440
Farash (Rs. 30—35)	.	1 (from I-3-1953)	364
Chowkidar (Rs. 30—35)	.	1 (from I-3-1953)	364
Sweeper (Rs. 30—35)	.	1 (from I-3-1953)	365
		<b>TOTAL</b>	<b>66,286</b>

*Madras*

Insurance Inspectors (Rs. 200—400)	8 (from 1-3-1953)	20,072
Insurance Inspector (Rs. 160—330)	1 (from 1-3-1953)	1,940
Superintendents (Rs. 250—400)	2 (from 1-3-1953)	6,120
Head Clerks (Rs. 160—250)	2 (from 1-3-1953)	3,970
Sick Visitors (Rs. 160—330)	2 (from 1-3-1953)	3,880
Upper Division Clerks (Rs. 80—220)	17 (from 1-3-1953)	16,975
Stenographers (Rs. 80—220)	3 (from 1-3-1953)	2,981
Cashier (Rs. 55—130 and S.P. of Rs. 30)	1 (from 1-3-1953)	1,049
Lower Division Clerks (Rs. 55—130)	48 (from 1-3-1953)	32,542
Daftiris (Rs. 35—50)	5 (from 1-3-1953)	2,133
Peons (Rs. 30—35)	19 (from 1-3-1953)	6,870
Farash (Rs. 30—35)	1 (from 1-3-1953)	362
Chowkidar (Rs. 30—35)	1 (from 1-3-1953)	365
Sweeper (Rs. 30—35)	1 (from 1-3-1953)	365
	<b>TOTAL</b>	<b>99,624</b>

		1	2	3
				Rs.
LOCAL OFFICES				
<i>Delhi</i>				
Managers Grade II . . . . .			5	15,354
(Rs. 200—400)			(from 1-3-1953)	
Head Clerks . . . . .			5	11,198
(Rs. 160—250)			(from 1-3-1953)	
Upper Division Clerks . . . . .			5	5,530
(Rs. 80—220)			(from 1-3-1953)	
Cashiers . . . . .			5	5,167
(Rs. 55—130 and S.P. of Rs. 30 in one Grade I Local Office and Rs. 20 in Grade II Local Offices)			(from 1-3-1953)	
Lower Division Clerks . . . . .			15	11,438
(Rs. 55—130)			(from 1-3-1953)	
Record Sorters . . . . .			5	2,243
(Rs. 35—50)			(from 1-3-1953)	
Peons . . . . .			10	3,681
(Rs. 30—35)			(from 1-3-1953)	
Chowkidars . . . . .			5	1,844
(Rs. 30—35)			(from 1-3-1953)	
TOTAL				56,455
<i>Punjab</i>				
Managers Grade II . . . . .			5	14,131
(Rs. 200—400)			(from 1-3-1953)	
Head Clerks . . . . .			5	11,043
(Rs. 160—250)			(from 1-3-1953)	
Upper Division Clerks . . . . .			11	10,725
(Rs. 80—220)			(from 1-3-1953)	
Cashiers . . . . .			11	9,999
(Rs. 55—130 and S.P. of Rs. 20)			(from 1-3-1953)	
Lower Division Clerks . . . . .			16	10,704
(Rs. 55—130)			(from 1-3-1953)	
Record Sorters . . . . .			11	4,653
(Rs. 35—50)			(from 1-3-1953)	
Peons . . . . .			16	5,787
(Rs. 30—35)			(from 1-3-1953)	
Chowkidars . . . . .			11	3,982
(Rs. 30—35)			(from 1-3-1953)	
TOTAL				71,024
<i>Kanpur</i>				
Managers Grade II . . . . .			11	31,857
(Rs. 200—400)			(from 1-3-1953)	
Head Clerks . . . . .			10	21,203
(Rs. 160—250)			(from 1-3-1953)	
Upper Division Clerks . . . . .			13	13,772
(Rs. 80—220)			(from 1-3-1953)	
Cashiers . . . . .			11	11,012
(Rs. 55—130 and S.P. of Rs. 30 for Grade I and Rs. 20 for Grade II Local Offices)			(from 1-3-1953)	
Lower Division Clerks . . . . .			34	23,371
(Rs. 55—130)			(from 1-3-1953)	
Record Sorters . . . . .			11	4,754
(Rs. 35—50)			(from 1-3-1953)	
Peons . . . . .			22	8,133
(Rs. 30—35)			(from 1-3-1953)	
Chowkidars . . . . .			11	4,039
(Rs. 30—35)			(from 1-3-1953)	
TOTAL				1,18,141

1	2	3
<i>Bombay</i>		Rs.
Managers Grade II (Rs. 200-400)	22 (from 1-3-1953)	53,680
Head Clerks (Rs. 160-250)	20 (from 1-3-1953)	38,800
Upper Division Clerks (Incharge) (Rs. 80-220 and S.P. of Rs. 30)	12 (from 1-3-1953)	15,960
Upper Division Clerks (Rs. 80-220)	40 (from 1-3-1953)	38,800
Cashiers (Rs. 55-130 and S.P. of Rs. 30)	10 (from 1-3-1953)	10,260
Cashiers (Rs. 55-130 and S.P. of Rs. 20)	22 (from 1-3-1953)	14,652
Lower Division Clerks (Rs. 55-130)	132 (from 1-3-1953)	87,912
Record Sorters (Rs. 35-50)	32 (from 1-3-1953)	13,504
Peons (Rs. 30-35)	70 (from 1-3-1953)	25,270
Chowkidars (Rs. 30-35)	28 (from 1-3-1953)	10,108
Farash (Rs. 30-35)	4 (from 1-3-1953)	1,444
Sweepers (Rs. 30-35)	10 (from 1-3-1953)	3,610
TOTAL		3,14,000
<i>Bangalore</i>		
Managers Grade II (Rs. 200-400)	6 (from 1-3-1953)	14,640
Head Clerks (Rs. 160-250)	2 (from 1-3-1953)	3,880
Upper Division Clerks (Incharge) (Rs. 80-220 and S.P. of Rs. 30)	4 (from 1-3-1953)	5,320
Upper Division Clerks (Rs. 80-220)	8 (from 1-3-1953)	7,760
Cashiers (Rs. 55-130 and S.P. of Rs. 20)	6 (from 1-3-1953)	5,436
Lower Division Clerks (Rs. 55-130)	20 (from 1-3-1953)	13,320
Record Sorters (Rs. 35-50)	6 (from 1-3-1953)	2,532
Peons (Rs. 30-35)	12 (from 1-3-1953)	4,332
Chowkidars (Rs. 30-35)	6 (from 1-3-1953)	2,166
TOTAL		59,386
GRAND TOTAL		14,57,716
Add leave salary		72,684
TOTAL		15,30,400

## APPENDIX III

## Budget Estimates for the year 1953-54

## UN-SANCTIONED MEASURES

## DETAILS OF EXPENDITURE PROVIDED UNDER HEAD 1—PAY OF OFFICERS

Designation of posts with scales of pay	No. of posts for which provision made with dates	Provision made
		Rs.
<b>HEADQUARTERS</b>		
Legal Adviser . . . . .	I (from 1-7-1953)	6,400
(Rs. 800—1,000)		
Deputy Chief Accounts Officer . . . . .	I (from 1-3-1953)	7,200
(Rs. 600—1,150)		
Deputy Medical Commissioner . . . . .	I (from 1-10-1953)	3,000
(Rs. 600—1,150)		
Asstt. Medical Commissioner . . . . .	I (from 1-3-1953)	4,200
(Rs. 350—800)		
Asstt. Accounts Officer . . . . .	I (from 1-10-1953)	1,750
(Rs. 350—800)		
Asstt. Director Establishment . . . . .	I (from 1-10-1953)	1,625
(Rs. 325—650)		
Junior Officers (Instructors) . . . . .	3 (from 1-3-1953)	9,000
(Rs. 250—600)		
Deputy Director (Establishment) . . . . .	I (From 1-3-1953 in lieu of A.O.)	360
(Rs. 600—1,150)		
	<b>TOTAL</b>	<b>33,535</b>
<b>REGIONAL OFFICES</b>		
<i>Kanpur</i>		
Asstt. Insurance Commissioner . . . . .	I (From 1-1-1954)	700
(Rs. 350—800)		
Medical Referee . . . . .	I (from 1-1-1954)	700
(Rs. 350—800)		
	<b>TOTAL</b>	<b>1,400</b>
<i>Bombay</i>		
Asstt. Insurance Commissioners . . . . .	3 (from 1-7-1953)	8,400
(Rs. 350—800)		
	2 (from 1-1-1954)	1,400
	3 (from 1-7-1953)	8,400
Medical Referee . . . . .	2 (from 1-1-1954)	1,400
(Rs. 350—800)		
	<b>TOTAL</b>	<b>19,600</b>
<i>Calcutta</i>		
Asstt. Insurance Commissioners . . . . .	8 (from 1-4-1953)	30,800
(Rs. 350—800)		
	I (from 1-1-1954)	700
Asstt. Accounts Officer . . . . .	I (from 1-4-1953)	3,850
(Rs. 350—800)		
	<b>TOTAL C/F</b>	<b>35,350</b>



Designation of posts with scales of pay	No. of posts for which provision made with dates	Provision made
REGIONAL OFFICES— <i>contd.</i>		Rs.
<i>Calcutta—contd.</i>		
	TOTAL B/F	35,350
Medical Referee . . . . .	10	38,500
(Rs. 350—800)	(from 1-4-1953)	
	2	1,400
	(from 1-1-1954)	
	TOTAL	75,250
<i>Madras</i>		
Asstt. Insurance Commissioner . . . . .	1	3,850
(Rs. 350—800)	(from 1-4-1953)	
	3	2,100
	(from 1-1-1954)	
Asstt. Accounts Officer . . . . .	1	700
(Rs. 350—800)	(from 1-1-1954)	
Medical Referee . . . . .	1	3,850
(Rs. 350—800)	(from 1-4-1953)	
	4	2,800
	(from 1-1-1954)	
	TOTAL	13,300
LOCAL OFFICES		
<i>Bombay</i>		
Manager Grade I . . . . .	6	12,000
(Rs. 250—600)	(from 1-7-1953)	
	1	500
	(from 1-1-1954)	
	TOTAL	12,500
<i>Calcutta</i>		
Manager Grade I . . . . .	13	35,750
(Rs. 250—600)	(from 1-4-1953)	
	1	500
	(from 1-1-1954)	
	TOTAL	36,250
<i>Madras</i>		
Manager Grade I . . . . .	1	2,750
(Rs. 250—600)	(from 1-4-1953)	
	2	1,000
	(from 1-1-1954)	
	TOTAL	3,750
	GRAND TOTAL	1,95,585
	or say	1,95,900

## APPENDIX IV

## Budget Estimates for the year 1953-54

## UN-SANCTIONED MEASURES

## DETAILS OF EXPENDITURE PROVIDED UNDER HEAD 2—PAY OF ESTABLISHMENT

Designation of posts with scales of pay	No. of posts for which provision made with dates	Provision made
<b>HEADQUARTERS</b>		<b>Rs.</b>
Junior Superintendents . . . . . (Rs. 250—400)	5 (from 1-4-1953)	13,750
	5 (from 1-10-1953)	6,250
Assistants . . . . . (Rs. 160—330)	5 (from 1-3-1953)	9,600
	5 (from 1-10-1953)	4,000
Upper Division Clerks . . . . . (Rs. 80—220)	15 (from 1-3-1953)	14,400
	15 (from 1-10-1953)	6,000
Stenographers . . . . . (Rs. 80—220)	3 (from 1-3-1953)	2,880
	1 (from 1-7-1953)	640
	2 (from 1-10-1953)	800
Lower Division Clerks . . . . . (Rs. 55—130)	18 (from 1-3-1953)	11,880
	18 (from 1-10-1953)	4,950
Librarian . . . . . (Rs. 160—330)	1 (from 1-10-1953)	800
<b>Class IV</b>		
Daftry . . . . . (Rs. 35—50)	5 (from 1-3-1953)	2,100
	5 (from 1-10-1953)	875
Peons . . . . . (Rs. 30—35)	7 (from 1-3-1953)	2,520
	1 (from 1-7-1953)	240
	8 (from 1-10-1953)	1,200
	<b>TOTAL</b>	<b>82,885</b>
<b>REGIONAL OFFICES</b>		
<b>Delhi</b>		
Lower Division Clerks . . . . . (Rs. 55—130)	2 (from 1-1-1954)	220
	<b>TOTAL</b>	<b>220</b>

Designation of posts with scales of pay	No. of posts for which provision made with dates	Provision made
REGIONAL OFFICES— <i>contd.</i>		
<i>Kanpur</i>		Rs.
Superintendent (Rs. 250—400)	1 (from 1-1-1954)	500
Insurance Inspector (Rs. 160—330)	1 (from 1-1-1954)	320
		820
Sick Visitor (Rs. 160—330)	1 (from 1-1-1954)	320
Upper Division Clerks (Rs. 80—220)	3 (from 1-1-1954)	480
Stenographers (Rs. 80—220)	1 (from 1-1-1954)	160
Lower Division Clerks (Rs. 55—130)	10 (from 1-1-1954)	1,100
<i>Class IV</i>		
Daftary (Rs. 35—50)	1 (from 1-1-1954)	70
Peons (Rs. 30—35)	3 (from 1-1-1954)	180
	<b>TOTAL</b>	<b>3,130</b>
<i>Bombay</i>		
Superintendent (Rs. 250—400)	1 (from 1-4-1953)	2,750
	4 (from 1-7-1953)	8,000
	3 (from 1-1-1954)	1,500
Insurance Inspectors (Rs. 160—330)	1 (from 1-4-1953)	1,760
	4 (from 1-7-1953)	5,120
	3 (from 1-1-1954)	960
Sick Visitor (Rs. 160—330)	1 (from 1-4-1953)	1,760
	6 (from 1-7-1953)	7,680
	5 (from 1-1-1954)	1,600
Upper Division Clerks (Rs. 80—220)	3 (from 1-4-1953)	2,640
	14 (from 1-7-1953)	8,960
	10 (from 1-1-1954)	1,600
	<b>TOTAL C/F</b>	<b>44,330</b>

Designation of posts with scales of pay	No. of posts for which provision made with dates	Provision made
REGIONAL OFFICES— <i>contd.</i>		
<i>Bombay—contd.</i>		Rs.
	TOTAL B/F	44,330
Stenographer . . . . . (Rs. 80—220)	1 (from 1-4-1953)	880
	4 (from 1-7-1953)	2,560
	2 (from 1-1-1954)	320
Cashier (Rs. 55—130 plus Rs. 30 p.m. Special pay)	1 (from 1-7-1953)	680
Lower Division Clerks (55-130)	8 (from 1-4-1953)	4,840
	48 (from 1-7-1953)	21,120
	35 (from 1-1-1954)	3,850
<i>Class IV</i>		
Daftry . . . . . (Rs. 35—50)	1 (from 1-4-1953)	385
	5 (from 1-7-1953)	1,400
	3 (from 1-1-1954)	210
Peon . . . . . (Rs. 30—35)	2 (from 1-4-1953)	660
	10 (from 1-7-1953)	2,400
	8 (from 1-1-1954)	480
	TOTAL	84,115
<i>Calcutta</i>		
Superintendents . . . . . (Rs. 250—400)	13 (from 1-4-1953)	35,750
	2 (from 1-1-1954)	1,000
Insurance Inspectors . . . . . (Rs. 160—330)	11 (from 1-4-1953)	19,360
	2 (from 1-1-1954)	640
Sick Visitors . . . . . (Rs. 160—330)	20 (from 1-4-1953)	35,200
	3 (from 1-1-1954)	960
Upper Division Clerks . . . . . (Rs. 80—220)	43 (from 1-4-1953)	37,840
	7 (from 1-1-1954)	1,120
	TOTAL C/O	1,31,870

Designation of posts with scales of pay	No. of posts for which provision made with dates	Provision made
	TOTAL B/F	Rs. 1,31,870
REGIONAL OFFICES— <i>contd.</i>		
<i>Calcutta—contd.</i>		
Stenographers (Rs. 80—220)	11 (from 1-4-1953)	9,680
	2 (from 1-1-1954)	320
Cashier (Rs. 55—130 plus Rs. 30 p.m. Special Pay)	1 (from 1-4-1953)	935
Lower Division Clerks (Rs. 55—130)	150 (from 1-4-1953)	90,750
	25 (from 1-1-1954)	2,750
<i>Class IV</i>		
Daftry (Rs. 35—50)	14 (from 1-4-1953)	5,390
	2 (from 1-1-1954)	140
Peon (Rs. 30—35)	32 (from 1-4-1953)	10,560
	6 (from 1-1-1954)	360
Farash (Rs. 30—35)	1 (from 1-4-1953)	330
Chowkidar (Rs. 30—35)	1 (from 1-4-1953)	330
Sweeper (Rs. 30—35)	1 (from 1-4-1953)	330
	TOTAL	2,53,745
<i>Madras</i>		
Superintendent (Rs. 250—400)	1 (from 1-4-1953)	2,750
	5 (from 1-1-1954)	2,500
Insurance Inspector (Rs. 160—330)	1 (from 1-4-1953)	1,760
	4 (from 1-1-1954)	1,280
Sick Visitor (Rs. 160—330)	1 (from 1-4-1953)	1,760
	8 (from 1-1-1954)	2,560
	TOTAL C/O	12,610

Designation of posts with scales of pay	No. of posts for which provision made with dates	Provision made
	TOTAL B/F	Rs. 12,610
REGIONAL OFFICES— <i>contd.</i>		
<i>Madras—contd.</i>		
Upper Division Clerks (Rs. 80—220)	3 (from 1-4-1953)	2,640
	17 (from 1-1-1954)	2,720
Stenographers (Rs. 80—220)	1 (from 1-4-1953)	880
	4 (from 1-1-1954)	640
Cashier (Rs. 55—130 plus Rs. 30 p.m. Special Pay)	1 (from 1-1-1954)	170
Lower Division Clerks (Rs. 55—130)	10 (from 1-1-1953)	6,050
	59 (from 1-1-1954)	6,490
<i>Class IV</i>		
Daftry (Rs. 35—50)	1 (from 1-4-1953)	385
	6 (from 1-1-1954)	420
Peons (Rs. 30—35)	3 (from 1-4-1953)	990
	12 (from 1-1-1954)	720
	TOTAL	34,715
LOCAL OFFICES		
<i>Delhi</i>		
Manager, Grade II (Rs. 200—400)	1 (from 1-1-1954)	400
Upper Division Clerks with allowance (Rs. 80—220 plus Rs. 30 p.m. Special Pay)	1 (from 1-1-1954)	220
Cashier (Rs. 55—130 plus Rs. 20 p.m. S.P.)	1 (from 1-1-54)	150
Lower Division Clerks (Rs. 55—130)	3 (from 1-1-1954)	330
<i>Class IV</i>		
Record Sorter (Rs. 35—50)	1 (from 1-1-1954)	70
Peons (Rs. 30—35)	2 (from 1-1-1954)	120
Chowkidar (Rs. 30—35)	1 (from 1-1-1954)	60
	TOTAL	1,350
<i>Kanpur</i>		
Manager Grade II (Rs. 200—400)	6 (from 1-1-1954)	2,400
Upper Division Clerks with allowance (Rs. 80—220 plus Rs. 30 p.m. S. Pay).	6 (from 1-1-1954)	1,320
Cashier (Rs. 55—130 plus Rs. 20 p.m. Special Pay)	6 (from 1-1-1954)	900
Lower Division Clerks (Rs. 55—130)	18 (from 1-1-1954)	1,980

Designation of post with scales of pay	No. of posts for which provision made with dates	Provision made
LOCAL OFFICES— <i>contd.</i>		
<i>Kanpur—contd.</i>		
<i>Class IV</i>		Rs.
Record Sorter . . . . . (Rs. 35—50)	6 (from 1-1-1954)	420
Peons . . . . . (Rs. 30—35)	12 (from 1-1-1954)	720
Chowkidars . . . . . (Rs. 30—35)	6 (from 1-1-1954)	360
TOTAL		8,100
<i>Bombay</i>		
Manager Grade II . . . . . (Rs. 200—400)	4 (from 1-4-1953)	8,800
	9 (from 1-7-1953)	14,400
	19 (from 1-1-1954)	7,600
Head Clerk . . . . . (Rs. 160—250)	1 (from 1-4-1953)	1,760
	10 (from 1-7-1953)	12,800
	1 (from 1-1-1954)	320
Upper Division Clerks with allowance (Rs. 80—220 plus Rs. 30 p.m. Special Pay)	3 (from 1-4-1953)	3,630
	5 (from 1-7-1953)	4,400
	19 (from 1-1-1954)	4,180
Upper Division Clerk . . . . . (Rs. 80—220)	2 (from 1-4-1953)	1,760
	20 (from 1-7-1953)	12,800
	2 (from 1-1-1954)	320
Cahier . . . . . (Rs. 55—130 plus Rs. 20 p.m. Special Pay)	4 (from 1-4-1953)	3,300
	15 (from 1-7-1953)	9,000
	20 (from 1-1-1954)	3,000
Lower Division Clerk . . . . . (Rs. 55—130)	13 (from 1-4-1953)	7,865
	65 (from 1-7-1953)	28,600
	63 (from 1-1-1954)	6,930
Record Sorter . . . . . (Rs. 35—50)	4 (from 1-4-1953)	1,540
	15 (from 1-7-1953)	4,200
	20 (from 1-1-1954)	1,400
Peons . . . . . (Rs. 30—35)	8 (from 1-4-1953)	2,640
	34 (from 1-7-1953)	8,160
	41 (from 1-1-1954)	2,460

Designation of posts with scales of pay	No. of posts for which provision made with dates	Provision made
LOCAL OFFICES— <i>contd.</i> <i>Bombay—contd.</i>		Rs.
Chowkidars . . . . . (Rs. 30—35)	4 (from 1-4-1953)	1,320
	13 (from 1-7-1953)	3,120
	20 (from 1-1-1954)	1,200
Sweepers . . . . . (Rs. 30—35)	6 (from 1-7-1953)	1,440
	1 (from 1-1-1954)	60
Farash . . . . . (Rs. 30—35)	2 (from 1-7-1953)	480
	TOTAL	1,59,485
<i>Calcutta</i>		
Manager Grade II . . . . . (Rs. 200—400)	39 (from 1-4-1953)	85,800
	11 (from 1-1-1954)	4,400
Head Clerks . . . . . (Rs. 160—250)	28 (from 1-4-1953)	49,280
	2 (from 1-1-1954)	640
Upper Division Clerks with allowances (Rs. 80—220 plus Rs. 30 p.m. Special Pay)	24 (from 1-4-1953)	29,040
	10 (from 1-1-1954)	2,200
Upper Division Clerk . . . . . (Rs. 80—220)	56 (from 1-4-1953)	49,280
	4 (from 1-1-1954)	640
Cashier . . . . . (Rs. 55—130 plus Rs. 20 p.m. Special Pay)	52 (from 1-4-1953)	42,900
	12 (from 1-1-1954)	1,800
Lower Division Clerks . . . . . (Rs. 55—130)	205 (from 1-4-1953)	1,24,025
	40 (from 1-1-1954)	4,400
Record Sorter . . . . . (Rs. 35—50)	52 (from 1-4-1953)	20,020
	12 (from 1-1-1954)	840
Peons . . . . . (Rs. 30—35)	112 (from 1-4-1953)	36,960
	25 (from 1-1-1954)	1,500
Chowkidars . . . . . (Rs. 30—35)	47 (from 1-4-1953)	15,510
	12 (from 1-1-1954)	720
Sweeper . . . . . (Rs. 30—35)	13 (from 1-4-1953)	4,290
	1 (from 1-1-1954)	60
Farash . . . . . (Rs. 30—35)	5 (from 1-4-1953)	1,650
	TOTAL	4,75,955



Designation of posts with scales of pay	No. of posts for which provision made with dates	Provision made
LOCAL OFFICES— <i>contd.</i>		Rs.
<i>Madras</i>		
Manager Grade II . . . . . (Rs. 200—400)	3 (from 1-4-1953)	6,600
	26 (from 1-1-1954)	10,400
Head Clerk . . . . . (Rs. 160—250)	1 (from 1-4-1953)	1,760
	4 (from 1-1-1954)	1,280
Upper Division Clerk with allowance . . . . . (Rs. 80—220 plus Rs. 30 p.m. Special Pay)	3 (from 1-4-1953)	3,630
	24 (from 1-1-1954)	5,280
Upper Division Clerk . . . . . Rs. 80—220	2 (from 1-4-1953)	1,760
	8 (from 1-1-1954)	1,280
Cashier . . . . . (Rs. 55—130 plus Rs. 20 Special Pay)	4 (from 1-4-1953)	3,300
	28 (from 1-1-1954)	4,200
Lower Division Clerk . . . . . (Rs. 55—130)	15 (from 1-4-1953)	9,075
	92 (from 1-1-1954)	10,120
Record Sorter . . . . . (Rs. 35—50)	4 (from 1-4-1953)	1,540
	28 (from 1-1-1954)	1,960
Peon . . . . . (Rs. 30—35)	9 (from 1-4-1953)	2,970
	58 (from 1-1-1954)	3,480
Chowkidar . . . . . (Rs. 30—35)	4 (from 1-4-1953)	1,320
	28 (from 1-1-1954)	1,680
Sweeper . . . . . (Rs. 30—35)	1 (from 1-4-1953)	330
	2 (from 1-1-1954)	120
	TOTAL . . . . .	72,085
	GRAND TOTAL . . . . .	11,75,785
	Say . . . . .	11,75,800

**ANNUAL REPORT IN RESPECT OF THE ACTIVITIES OF THE EMPLOYEES'  
STATE INSURANCE CORPORATION FOR THE YEAR 1951-52.**

The Director-General has the honour to present a review of the work and activities of the Employees' State Insurance Corporation for the year ended 31st March, 1952.

2. It was reported last year that the plan of implementation of the Employees' State Insurance Scheme approved by the Corporation in May 1950 could not be adhered to, since certain objections were received from the employers at Kanpur. In order to overcome the objections and to remove certain other lacunae, the Government of India introduced an Amending Bill in Parliament by which *inter alia* the incidence of the employers' contribution was spread over the employers all over the country during the transitional period. This amending Bill was passed by Parliament on 27th September 1951 and received the assent of the President on 6th October 1951. The principal features of this Amending Act were—

- (1) Introduction of a transitory Chapter V-A under which employers all over the country are to pay a special contribution instead of the employer's contribution which was under the original Act to be paid only by employers to whose factories or establishments all the provisions of the Act applied. The rate of this special contribution is fixed by the Central Government but the maximum may not exceed 5 per cent. of the wage bill, the rate for employers in areas where the benefit provisions apply being higher than the rate where these provisions do not apply.
- (2) The maternity benefit rate which was a flat twelve annas per day under the original Act was made equal to the sickness benefit rate or twelve annas a day whichever is higher.
- (3) The Act was extended to the whole of India excluding only the State of Jammu and Kashmir and provision for representatives of Part B States on the Corporation and the Medical Benefit Council was made.

3. *Standing Committee*.—During the period under report, the Standing Committee of the Corporation held two meetings, one on 23rd April, 1951 and the other on 11th December, 1951, at which various important matters in connection with the implementation of the Scheme were considered and recommendations made to the Corporation.

4. *Corporation*.—I. The third meeting of the Corporation was held on the 25th April 1951. The following matters among others were considered:—

- (i) Election of members of the Standing Committee.
- (ii) Adoption of the Annual Report for the year 1949-50 and the Audited Accounts for the years 1948-49 and 1949-50.
- (iii) Budget Estimates for the year 1951-52.
- (iv) Delegation of necessary powers under the Central Rules, General Regulations and on certain administrative matters, recommended by Standing Committee.
- (v) Rates of employer's special contribution and the programme of implementation of the Employees' State Insurance Scheme in Delhi, Kanpur, Bombay, Punjab, and other places.

II. The fourth meeting of the Corporation was held on 13th December, 1951. The following matters, among others, were considered:—

- (i) Annual Report and the Audited Accounts for the financial year 1950-51.
- (ii) Revised Budget Estimates for the financial year 1951-52 and the Budget Estimates for 1952-53.
- (iii) Amendments to the Employees' State Insurance (General) Regulations, 1950.

(iv) The following revised programme of implementation of the Scheme to places other than Delhi and Kanpur was approved:—

August 1952 . . . . .	The Punjab.
January 1953 . . . . .	Greater Bombay and Bangalore.
July 1953 . . . . .	Madras, Calcutta, Nagpur and Jubbulpore.
October 1953 . . . . .	Ahmedabad and Sholapur, Agra, Coimbatore, Asansol and Burnpur.
April 1954 . . . . .	All other places where the number of industrial workers is 5,000 or more.
July 1954 . . . . .	The remaining centres.

5. No meeting of the Medical Benefit Council could be held during the year under report.

6. *Enforcement of the provisions of the Act.*—(i) The Central Government brought into force Chapters I, II, III, VII & VIII and Sections 44 and 45 of the Act in all Part B States and Chapter V-A (Transitory provisions regarding employers' special contribution) of the Act in the whole of India except the State of Jammu and Kashmir with effect from 24th November, 1951.

(ii) The provisions of Chapter IV (except Sections 44 and 45 thereof which had already been brought into force) and Chapters V and VI of the Act were brought into force in the State of Delhi and in the Kanpur area of Uttar Pradesh with effect from 24th February 1952.

(iii) The Central Government issued necessary notifications appointing the representatives of all Part B States (except the State of Jammu and Kashmir) on the Corporation and Medical Benefit Council.

(iv) The Central Government issued notification under Section 73-A of the Act specifying the manner of payment of employer's special contribution and fixed the rate of employer's special contribution with effect from the 24th February, 1952, as follows:—

(a) in the case of factories or establishments situated in any area in which the provisions of both Chapters IV and V of the said Act are in force, 1½ per cent. of the total wage bill;

(b) in the case of factories or establishments situated in any other area 1 per cent. of the total wage bill.

(v) Orders were issued by the Government of India under Section 73-H of the Act to make certain necessary amendments to the Employees' State Insurance (General) Regulations, 1950.

(vi) (a) The Corporation specified by notifications under Section 73-E of the Act the forms for submission of information or return by the employers as well as the time within which such information or return is required to be furnished.

(b) The Director-General issued a notification relaxing the requirements of Regulations 32 of the Employees' State Insurance (General) Regulations, 1950, to the extent that particulars required under clause (g) thereof need not be shown in the Registers to be maintained by the employers so long as Chapter V-A of the Act remains in force.

(c) By another notification, the Corporation specified the dates from which the first Contribution and Benefit periods in respect of Delhi and Kanpur area shall begin and end.

7. *Arrangements for the implementation of the Scheme.*—Pending the passing of the Amending Act, the officers of the Corporation continued to work on all the preliminary details and ground work for the implementation of the Scheme in Delhi and Kanpur. Immediately after the passing of the Amending Act, this work was completed. The following work was done during the period in this connection.

(i) *Contact with employers and employees.*—The officers of the Corporation contacted all employers in Delhi and Kanpur and paid a large number of visits to them with a view to explaining the various provisions of the Act and Regulations and their duties thereunder as also in connection with the registration of employees. The employees and their trade unions were also contacted. Various meetings of employees were arranged and addressed by the officers at both places where benefits under the Scheme were explained. The Director-General also contacted the All-India Organisations of Trade Unions to seek their co-operation.

(ii) *Meetings with the State Government officials.*—A number of meetings were held between the officers of the Corporation and the State Governments of Delhi and Uttar Pradesh. The target dates for implementation in Kanpur and Delhi were fixed at these meetings and the State Governments agreed to finalise all preliminary work including the setting up of dispensaries, etc., by these dates. Necessary administrative and financial sanctions were also accorded by the Governments.

(iii) *Training.*—The training of the staff in the local offices and regional offices with particular reference to procedural details, payment of claims and the medical side of the Scheme was completed. Training courses for the employers' staff were also conducted by the Regional Offices in Delhi and Kanpur to enable the employers to understand and discharge the responsibilities under the Act without inconvenience.

(iv) *Survey and Statistics.*—Surveys were conducted for collection of statistics regarding the number of shifts in factories; hours of such shifts; social survey of labour areas; sickness survey regarding incidence of sickness amongst factory workers and medical survey to enable better planning of local offices and dispensaries in different areas at these places.

(v) *Forms.*—The forms required for use in local offices and State Insurance dispensaries were designed, printed and distributed to the Regional and local offices and dispensaries in Delhi and Kanpur.

(vi) *Delegation of powers.*—The Governments of Delhi State and of Uttar Pradesh delegated the powers of allotment and reallocation of insured persons under Rules 7 and 8 of the Employees' State Insurance (Medical Benefit) Rules, 1951, framed by them to the Regional Directors of Delhi and Kanpur, respectively.

(vii) *Medical Board.*—Under Regulation 75 of the Employees' State Insurance (General) Regulations, 1950, the Delhi Administration constituted a Standing Medical Board for the purposes of these regulations, to meet at Irwin Hospital, New Delhi.

8. *Inauguration of the Scheme.*—The inauguration of the Scheme was performed by the Prime Minister, Shri Jawaharlal Nehru, at a public meeting in Kanpur on 24th February 1952 and from that day the Scheme came simultaneously into operation in Delhi and Kanpur. The meeting was attended by about 1,00,000 workers and many distinguished guests. Messages of good-will on the occasion were received from the President of India, the Governor of Uttar Pradesh, organisations of employers, employees and the medical profession as also from the International Labour Office and the International Social Security Association, etc. A side exhibition demonstrating the details of the actual working of the Scheme was also arranged on the occasion at the Regional Office of the Corporation at Kanpur.

Five local offices and eleven State Insurance dispensaries in Delhi and eleven local offices and thirteen dispensaries in Kanpur started functioning from the date of the inauguration of the Scheme.

9. *Commencement of the Scheme.*—During the year under report, the Scheme was in actual operation for a little over 5 weeks and a number of teething troubles were naturally experienced. Firstly, arrangements for hospitalisation and laboratory tests were not quite satisfactory at the outset but with the earnest efforts of the State Governments concerned and the co-operation of the Corporation, the problem was solved to some extent. Arrangements for prompt admission of serious and emergent cases were made and the Director of Medical and Health Services, Uttar Pradesh, issued instructions to the hospital authorities at Kanpur that insured persons when referred to by their Insurance Medical Officers should be admitted by creating extra beds, if necessary, and admission of urgent cases should not be refused. Secondly, some of the employers found it difficult to comply with the provisions of the Act and Regulations in certain respect owing to slight changes required in their methods of calculation and payment of wages. Their problems were discussed at length and changes suggested to bring their procedure in conformity with the requirements of the Act. Thirdly, owing to supplies of some medicines to dispensaries being delayed for some time, insured persons experienced some difficulties. Adequate supplies were pressed for and have since been ensured. Lastly, the provisions of the Act were interpreted in a way which meant refusal of authorized leave to insured persons and as such led to some hardship to them. The matter was taken up at Kanpur with the Employers' Association of Northern India which advised its constituents to take a liberal view of the provisions of the Act and this mitigated the hardship to a large extent.

10. *Working of the Scheme.*—The following figures for the period of five weeks of the running of the Scheme in the year under review will show the working of local offices and registration of insured persons:—

Place	No. of employees registered under the Scheme	Insurance records set up for employees	No. of claims paid	
			Disablement	Dependents
Delhi .	40,005	39,147	32	Nil
Kanpur .	74,028	56,407	83	Nil

The following figures for the same period will give an idea of the working of States Insurance dispensaries during the period:—

Place	Attendance at dispensaries	Domiciliary visits paid	Cases admitted into hospitals	Cases referred for special investigation
Delhi .	15,618	95	9	164
Kanpur .	28,016	304	134	188

11. *Employers' Special Contribution.*—During the period under report, three Regional Offices were set up at Bombay, Madras and Calcutta to collect the data for the purpose of employer's special contribution, to set up necessary records in respect of employees and to site inspection offices for facilitating inspections and contracts with employees.

12. *Extension of the Scheme to other areas.*—The Punjab, Greater Bombay and Bangalore were next in the plan of implementation of the Scheme as approved by the Corporation. The position in these States at the end of the year under review was as under:—

**PUNJAB.**—The State Government had agreed to implement the Scheme in the State and with a view to completing preliminary arrangements, the Assistant Director of Health Services (Social Insurance), Punjab, came to New Delhi on 18th/19th February, 1952, and had discussions with the officers of the Corporation. He and the Regional Director, Delhi Region, went on tour to find premises for the State Insurance Dispensaries in the Punjab and, if the sites were not easily available, also to examine the question of utilisation of the panel system of medical treatment in the Punjab.

**BOMBAY.**—Two meetings were held between the representatives of the State Government and officers of the Corporation at Bombay on 21st December, 1951, and 2nd February, 1952, in connection with the arrangements for the implementation of the Scheme. The State Government made provision for expenditure on the nuclear medical organisation to be set up by the State in their Budget. Survey of the industrial localities of Bombay city for location of offices there was also taken in hand.

**BANGALORE.**—The State Government of Mysore was requested to start the spade work required for the implementation of the Scheme. A letter was also addressed to the State Government specifying the terms of agreement in regard to the provision for medical treatment under the Scheme.

13. *Financial and Accounts Arrangements.*—(i) As the Scheme was started only on 24th February, 1952, the expenditure of the Corporation continued to be met during the year under review from loans taken from the Central Government.

(ii) The following accounts were opened with the Imperial Bank of India:—

1. E.S.I. Fund—Account No. 1—R.O. Delhi.
2. E.S.I. Fund—Account No. 1—R.O. Kanpur.
3. E.S.I. Fund—Account No. 2—R.O. Bombay.
4. E.S.I. Fund—Account No. 2—R.O. Madras.

Employees' State Insurance—Account No. 2 was also opened for the local offices in Delhi and Kanpur for payment of cash benefit.

(iii) The Central Government accorded their approval to the revised estimates for 1951-52 and the Budget Estimates for 1952-53 for the sanctioned measures *in toto* whereas the Budget Estimates for 1952-53 of the new proposals were approved subject to certain modifications.

(iv) The stock of Government stamps held by the Master, India Security Press, Nasik, had to be overprinted with the values of employees' contribution alone, since, under the Amended Act, employees' contribution alone was payable by means of adhesive stamps.

(v) The audit of the accounts of the Corporation for the year 1950-51 was completed as for previous years by Government auditors appointed by the Government of India.

14. *Employees' State Insurance Corporation (Provident Fund) Regulations, 1951.*—These Regulations, as approved by the Corporation and the Central Government, were finally published in the Gazette of India on the 4th September, 1951.

15. *Publicity of the Scheme.*—(a) A documentary film entitled "Dawn of Social Security" was produced by the Films Division of the Government of India and was exhibited at the time of the inauguration of the Scheme and thereafter in cinema houses all over India.

(b) Educative publicity of the Scheme was carried out through talks and dialogues on the All-India Radio.

(c) A number of articles and news items were contributed to various magazines and daily papers.

(d) On the eve of the inauguration, the Director-General held a Press Conference at New Delhi on 14th February, 1952, in which various matters connected with the implementation of the Scheme were fully explained.

(e) A booklet entitled the 'Employees Guide' was printed and distributed for the information of insured persons. Publicity posters bringing out different aspects of the Scheme in local languages were exhibited in all public places at Delhi and Kanpur and were also distributed to employers and trade unions for exhibition at factories and trade union premises. A Brochure prepared for the occasion of the inauguration, mainly in Hindi, was distributed at the inaugural meeting at Kanpur.

16. *Principal Officers.*—(i) The Director-General went on leave *ex-India* for 3 months from the 19th May, 1951.

(ii) Shri K. A. Joseph, Chief Accounts Officer of the Corporation, died after a brief illness on 22nd November, 1951.

(iii) Shri M. Vasudeva Rao, relinquished charge of the post of Insurance Commissioner in the Corporation with effect from the afternoon of the 4th January, 1952, and Shri K. K. Bhargava, Actuary, was appointed Insurance Commissioner from that date.

C. L. KATIAL,  
Director-General.

## AUDITED ACCOUNTS OF THE EMPLOYEES' STATE INSURANCE CORPORATION FOR THE YEAR 1951-52

AUDIT NOTE ON THE ACCOUNTS OF THE EMPLOYEES' STATE INSURANCE CORPORATION FOR THE  
YEAR 1951-52 WITH REPLIES OF THE CORPORATION

*Audit Report on the accounts of the Employees' State Insurance Corporation, New Delhi.*

*Replies given by the Director-General, Employees' State Insurance Corporation to the Audit Report.*

PERIOD—FINANCIAL YEAR 1951-52.

1. *Last Audit Note.*—The disposal of the last audit note calls for the following observations :—

*Audit Note for the year 1950-51—paragraph 4.*—The question of defining the items of expenditure which should constitute 'Administrative expenses', is still under consideration of the Government of India.

*Paragraph 5.*—The accounts in respect of the expenditure of Rs. 8,000 out of the deposit of Rs. 59,710 made with the Central Public Works Department in connection with the construction of buildings at Kishanganj and Subzimandi were still due to be received from the Executive Engineer, Special Division 3, New Delhi. He may be asked to expedite the matter.

*Paragraph 7.*—The point as to whether or not the interest paid on loan taken from the Government of India should be charged as administrative expenses had been referred to the Government.

2. *Present Audit.*—The audit and examination of the accounts of the Corporation for the year 1951-52 was taken up in pursuance of the orders of the Comptroller and Auditor-General of India, *vide* his U. O. to the Government of India, Ministry of Finance (I. & C. Division) No. 54-CA/20-52, dated the 13th March, 1952, and was conducted from the 3rd to 13th June, 1952. The accounts for the months of August, 1951 and March, 1952, were checked in detail whereas the accounts for the remaining months were reviewed generally.

3. *Annual Accounts for the year 1951-52.*—The accounts for the year 1951-52—Income and Expenditure and the Balance Sheet are attached as Appendices A and B. Under Section 36 of the Employees' State Insurance Act, 1948, the audited accounts are to be submitted to the Parliament.

4. The expenditure under different heads of accounts during the year 1951-52 as compared with that of the previous year is exhibited in Appendix 'C'. The increase in expenditure during the year under review over that of the previous year was stated to be due to the expansion of the Scheme, creation of the repairs and renewal reserve and depreciation reserve for buildings and payment of contributions and interest to the Employees' State Insurance Corporation Provident Fund Accounts. The re-

The Ministry of Labour have been requested in this office letter No. Acct./A-1/51-52, dated the 11th September, 1951, to expedite the decision regarding the definition of the term 'Administrative expenses'.

The Executive Engineer, Special Division III, New Delhi, has been requested again to render final account of the balance of Rs. 8,000 out of the deposit of Rs. 59,710 made in connection with the construction of Local Office buildings at Kishanganj and Subzimandi.

Kindly see remarks against paragraph 4 above.

ceipts for the year 1951-52 amounted to Rs. 34,768/4/- and comprised 'rent of buildings, interest on loan and advances' and 'miscellaneous receipts'. This amount should be deducted from the administrative expenses for purpose of working out 2/3rd share to be given as a grant by the Government of India. The sale of contribution stamps and benefits paid for temporary disablement amounted to Rs. 1,24,109 and Rs. 482 respectively.

*Para. 5.—Administrative expenses.*—The expenditure of Rs. 1,17,955/8/6 under General Charges, included a sum of Rs. 1,209 representing interest paid to the subscribers of the Employees' State Insurance Corporation Provident Fund. With the increase in the number of the subscribers consequent upon the expansion of the Scheme and with the accumulation of the balances at their credit, the amount of interest will be much more in the ensuing years. The Corporation had invested the amounts of the provident fund in the National Savings Certificates yielding interest @ 3 %. It will, thus, be reimbursed ultimately for the interest by it to the subscribers when these investments will mature. It, therefore, appears reasonable that this expenditure should be ignored for the purpose of grant to be received from the Government under Section 27 of the Employees' State Insurance Act, 1948.

*Para. 6.—Register of Advances.*—The outstanding advances on the 31st March, 1952, amounted to Rs. 48,605 and some of these advances were very old dating as far back as August 1949; October, 1949 and January, 1950. Most of these advances awaited settlement as the adjustment accounts had not been received from various Government Offices. Efforts may be made to clear off these advances as early as possible so that the expenditure may be booked under the head of the accounts to which it actually pertains.

*Para. 7.—Financial position of the provident fund for the period ending 31-3-52 has been summarised in Appendix 'D'.*

*Para. 8.*—The accounts were continued to be well kept.

The receipts amounting to Rs. 34,768/4/- may be deducted from the administrative expenses for purposes of working out 2/3rd share to be given as grant by the Central Government provided it is decided by the Central Government that expenditure on corresponding items is treated as 'Administrative expenses'.

Under Regulation 10 of the Employees' State Insurance Corporation (Provident Fund Regulations, 1951, it is the liability of the Corporation to pay interest at such rates as may be fixed by the Central Government for the corresponding period in respect of General Provident Fund for the benefit of the Central Government servants irrespective of the fact whether the interest received by investment of provident fund money is more or less. The expenditure on account of interest on provident fund collections, adjusted by the Corporation under 'General Charges', is thus an administrative liability against which can be set off the interest received on the investments. In regard to the opinion whether this item comes within the definition of 'Administrative expenses' for purposes of grant to be given by the Central Government the question is one for the Central Government to decide and is receiving their attention. The decision taken by the Central Government will be intimated in due course.

The Government Departments to whom advances were made for supply of various articles to the Corporation, e.g., cycles, cloth for liveries, forms and stationery, etc. are being reminded regularly for submission of final accounts. Further reminders have also been issued requesting them for urgent submission of the accounts.

Noted, please.

It is noted with thanks that the accounts have been found to have been well kept by the Corporation.

Sd./- P. P. GANGADHARAN, *Examiner*,  
Outside Audit Department (Civil),  
A. G. C. R., Curzon Road, New Delhi.

Sd./- C. L. KATIAL,  
*Director-General*,  
Employees' State Insurance Corporation,

NEW DELHI.  
[No. Ss. 132 (22).]



## APPENDIX 'A'.

(Referred to in para. 3 of the Audit Note.)

*Employees' State Insurance Corporation Income and Expenditure Account for the year ended 31-3-1952*

INCOME

EXPENDITURE

HEAD OF ACCOUNT	AMOUNT	HEAD OF ACCOUNT	AMOUNT
A.—ADMINISTRATION			
	Rs. As. P.		Rs. As. P.
By Grant-in-aid from Central Govt. . . . .	7,08,420 0 0	To Pay of Officers . . . . .	2,81,630 5 0
By interest on loans and advance . . . . .	319 1 0	To Pay of Establishment . . . . .	3,68,137 9 0
By rent of Building . . . . .	1,906 7 0	To Travelling and Conveyance Allowance . . . . .	22,269 4 0
By Miscellaneous Receipts . . . . .	32,542 12 6	To Dearness Allowance . . . . .	2,42,516 5 0
By excess of expenditure over income C/O to Balance Sheet . . . . .	6,51,428 4 3	To House Rent Allowance . . . . .	59,512 3 0
		To City Compensatory Allowance . . . . .	24,599 5 0
		To Other Allowances . . . . .	9,470 3 0
		To Cost of Furniture and General Articles for office use . . . . .	6,953 3 0
		To cost of Typewriters, Comptometers, Duplicators, Calculating machines, etc. . . . .	11,721 13 3
		To Special Equipment for records, etc. . . . .	5,947 10 3
		To Cost of Cycles . . . . .	174 3 0
		To Expenditure connected with Adrema Equipment for registration . . . . .	53,703 1 3
		To Repairs and maintenance of Furniture and Equipment, etc. . . . .	1,152 7 3
		To Depreciation on Building . . . . .	11,950 0 0
		To Repairs and Renewal Reserve for Buildings . . . . .	13,650 0 0
		To Forms, Stationery and Printing Charges . . . . .	20,679 15 3
		To Rent, Rates and Taxes . . . . .	75,011 7 9
		To Postage, Telegram and Telephone charges . . . . .	37,773 13 3
		To Publicity and Advertisement charges . . . . .	6,721 11 6
		To Audit Fee . . . . .	540 0 0
		To Miscellaneous charges . . . . .	21,138 0 6
		To Expenditure on Contribution Stamps . . . . .	1,408 8 0
		To General Charges . . . . .	1,17,955 8 6
TOTAL . . . . .	13,94,616 8 9	TOTAL . . . . .	13,94,616 8 9

## B.—BENEFITS

By Contribution . . . . .	1,24,108 10 0	To Disablement Benefits for Temporary disablement . . . . .	481 15 0
		To excess of income over Expenditure C/O to Balance Sheet . . . . .	1,23,626 11 0
TOTAL . . . . .	1,24,108 10 0	TOTAL . . . . .	1,24,108 10 0

NEW DELHI ;  
The 31st May, 1952.

Sd./- B. N. SEN GUPTA,  
Chief Accounts Officer,  
Employees' State Insurance Corporation.

## APPENDIX 'B'

(Referred to in para. 3 of the Audit Note.)

## EMPLOYEES' STATE INSURANCE CORPORATION

BALANCE SHEET AS AT 31ST MARCH, 1952.

<u>Liabilities</u>						<u>Assets</u>						
<u><i>Loan from Central Government</i></u>						<u><i>Lands and Buildings</i></u>						
	Rs	AS	PS				Rs	AS	PS			
As per last Balance Sheet . . . . .	26,41,548	6	0			As per last Balance Sheet . . . . .	8,74,283	7	8			
Add Loans received during the year . . . . .	10,00,000	0	0	36,41,548	6 0	Addition during the year . . . . .	90,780	3	4	9,65,063	11	0
						<u><i>Deposits</i></u>						
<u><i>Employees' State Insurance Contributory Provident Fund</i></u>												
	Rs	AS	PS			As per last Balance Sheet . . . . .	1,09,254	14	7			
As per last Balance Sheet . . . . .	18,783	0	0			Add deposits during the year . . . . .	17,288	1	0			
Add amount credited during the year . . . . .	69,762	0	0	88,545	0 0		1,26,542	15	7			
						Less received or adjusted during the year . . . . .	94,221	1	10	32,321	13	9
						<u><i>Advances</i></u>						
<u><i>Security Deposits</i></u>												
	Rs	AS	PS			As per last Balance Sheet . . . . .	1,250	0	0			
Balance as per last Balance Sheet . . . . .	775	0	0			Add advances during the year . . . . .	20,643	5	9			
Add Receipts for the year . . . . .	50	0	0				21,893	5	9			
	825	0	0			Less received or adjusted during the year . . . . .	5,610	5	3	16,283	0	6
Less paid during the year . . . . .	675	0	0	150	0 0							
						<u><i>Investments at Cost</i></u>						
<u><i>Deductions from Bills payable to other parties</i></u>												
	Rs	AS	PS			As per last Balance Sheet . . . . .	18,780	0	0			
Balance as per last Balance Sheet . . . . .	352	5	0			Add investments during the year . . . . .	37,150	0	0	55,930	0	0
Add deductions made during the year . . . . .	57,883	9	6									
	58,235	14	0			<u><i>Loans to Employees for Conveyance.</i></u>						
Less paid during the year . . . . .	57,992	9	0	243	5 0	As per last balance sheet . . . . .	8,592	0	0			
							10,980	0	0			
<u><i>Depreciation Fund for Building</i></u>												
	Rs	AS	PS			Add amount paid during the year . . . . .	19,572	0	0			
As per last Balance Sheet . . . . .	11,950	0	0									

<u>Reserve Fund for Repairs and Renewals of Building</u>	13,650	0	0
Less expenditure on repairs for the year	685	4	0
	12,964	12	0

Less recovered during the year	7,569	0	0
Balance with Bankers			9,25,379 6 6
Cash in hand			2,768 1 0

Income and Expenditure AccountA—Administration

Balance as per last balance Sheet	12,17,850	13	0
Add excess of expenditure over Income (As per Income & Expenditure Account)	6,51,428	4	3
	18,69,279	1	3

LessB—Benefits

Excess of Income over Expenditure. As per Income & Expenditure Account)	1,23,626	11	0
	17,45,652	6	3

TOTAL . . . 37,55,401 7 0

TOTAL . . . 37,55,401 7 0

(Sd.) B. N. SEN GUPTA,  
Chief Accounts Officer,  
Employees' State Insurance Corporation.

NEW DELHI.  
The 31st May, 1952.

Certified that subject to the remarks in the audit report, this Balance Sheet is in my opinion a full and fair Balance Sheet containing all necessary particulars and properly drawn up and according to the best of my information and explanations given to me and as shown by the books of the Corporation it exhibits a true and correct view of the State of the Corporation affairs. Information and explanations required have been furnished by the officers of the Corporation and have been found satisfactory except to the extent mentioned in the Audit Report.

(Sd.) T. C. PURI,  
Examiner,  
Outside Audit Department (C).

## APPENDIX 'C'

(Referred to in paragraph 4 of the Audit Note.)

*Comparative Statement of Expenditure under different Heads of Accounts during the year 1950-51 and 1951-52*

	Expenditure during—	
	1-4-50 to 31-3-51	1-4-51 to 31-3-52
Pay of Officers . . . . .	2,43,671	2,81,630
Pay of Establishment . . . . .	2,46,409	3,68,138
T. A. & Conveyance Allowances . . . . .	19,926	22,269
Dearness Allowance . . . . .	1,53,861	2,42,516
House-Rent Allowance . . . . .	42,068	59,512
City Compensatory Allowance . . . . .	16,040	24,599
Other Allowances . . . . .	6,170	9,470
Cost of furniture & general articles for office use . . . . .	51,897	6,953
Cost of typewriters, comptometers, duplicators, calculating machine, etc. . . . .	19,064	11,722
Special equipment for records . . . . .	51,590	5,948
Cost of cycles . . . . .	512	174
Expenditure in connection with Adrema Equipment for registration . . . . .	26,441	53,703
Repairs & maintenance of buildings furniture equipment, etc. . . . .	861	11,838*
Depreciation on buildings . . . . .	Nil	11,950
Repairs & Renewal Reserve for buildings . . . . .	Nil	13,650
Forms, Stationery and Printing Charges . . . . .	44,697	20,680
Rent, Rates and Taxes . . . . .	40,106	75,011
Postage & telegram Charges, etc. . . . .	20,455	37,774
Publicity & advertisement Charges . . . . .	11,017	6,722
Audit fee . . . . .	900	540
Miscellaneous Expenses . . . . .	16,119	21,138
Expenditure on contribution expenses . . . . .	6,485	1,409
General Charges . . . . .	64,717	1,17,956
	<u>10,73,006</u>	<u>13,95,302</u>

\*Out of which Rs. 685 have been charged to depreciation fund for buildings.

## APPENDIX 'D'

(Referred to in para. 7 of the Audit Note.)

*Employees' State Insurance Corporation Provident Fund Account. Receipt and Payment Account for the period ending 31st March, 1952.*

RECEIPTS	AMOUNT	PAYMENTS	AMOUNT
To Employees' subscription . . . . .	55,710 0 0	By Investment at cost . . . . .	55,930 0 0
To Corporation's contribution . . . . .	31,626 0 0	By Closing Balance . . . . .	32,615 0 0
To Interest . . . . .	1,209 0 0		
TOTAL Rs. . . . .	<u>88,545 0 0</u>	TOTAL Rs. . . . .	<u>88,545 0 0</u>

B. N. SEN GUPTA,  
 Chief Accounts Officer,  
 Employees' State Insurance Corporation,  
 12-6-1952.  
 [No. SS. 132 (22).]

*New Delhi, the 7th May 1953*

S.R.O. 908—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Government hereby appoints the 17th day of May, 1953, as the date on which the provisions of Chapter IV (except sections 44 and 45 thereof which have already been brought into force), Chapter V and Chapter VI (except sub-section (1) of section 76 and sections 77, 78, 79 and 81 thereof which have already been brought into force), of the said Act shall come into force in the following parts of the State of Punjab, namely:—

I. (i) Abdullapur Notified Area Committee.

(ii) Jagadhri Municipal Committee.

(iii) The villages of

- (a) Abdullapur.
- (b) Mamida.
- (c) Habibpur.
- (d) Garhi.
- (e) Chandpur.
- (f) Govindpuri.
- (g) Moond Majra.
- (h) Hamida.
- (i) Jagadhari.
- (j) Garhi Mondo.
- (k) Tejli.
- (l) Govindpura.

II. (i) Ambala Municipal Committee.

(ii) Ambala Cantonment Board

(iii) The villages of

- (a) Shahpur.
- (b) Kuldip Nagar.
- (c) Manchanda.

III. (i) Ludhiana Municipal Committee.

(ii) The villages of

- (a) Taraf Baurara.
- (b) Nur Bhaini.
- (c) Taraf Piru Banda.
- (d) Taraf Saidian.
- (e) Dholewal.
- (f) Sher Pur Khurd.
- (g) Taraf Qazi.
- (h) Gill.

IV. (i) Jullundur Municipal Committee.

(ii) Jullundur Cantonment Board.

(iii) The villages of

- (a) Dokoha.
- (b) Reru.
- (c) Butan.

- V. (i) Amritsar Municipal Committee.  
 (ii) Chhehrata Notified Area Committee.  
 (iii) The villages of  
 (a) Vijaynagar.  
 (b) Tung Pain.  
 (c) Verka.  
 (d) Mustafabad.  
 (e) Tung Bala.  
 (f) Moghampur.  
 (g) Vallah.
- VI. (i) Batala Municipal Committee.  
 (ii) The villages of  
 (a) Falzpur.  
 (b) Punder.  
 (c) Kotla Nawab.  
 (d) Batala West.
- VII. Bhiwani Municipal Committee.

[No. SS. 121(69).]

*New Delhi, the 12th May 1953*

**S.R.O. 909.**—In exercise of the powers conferred by section 73-F of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Government hereby exempts the workshops attached to the College of Engineering of the University of Annamalai, Annamalainagar and the College of Engineering and Technology, Muslim University, Aligarh, from payment of employer's special contribution leviable under Chapter V-A of the said Act for a period of one year in the first instance.

[No. SS. 138(9).]

S. NEELAKANTAM, Dy. Secy.

*New Delhi, the 6th May 1953*

**S.R.O. 910.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following awards of the Industrial Tribunal, Madurai, in the matter of applications under Section 33-A of the said Act.

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL.

**PRESENT.**—Sri E. Krishnamurthi, M.A., B.L., Industrial Tribunal at Madurai.

*Thursday, the 23rd April, 1953.*

INDUSTRIAL DISPUTE No. 5 (CENTRAL) OF 1952.

#### BETWEEN

Worker T. M. Ibrahim, Kochaparambu, W. 2, Mattancherry, represented by the Cochin Port Cargo Labour Union, Mattancherry.—*Petitioner.*

#### AND

The management of P. B. Abdulrahman Kutty, Stevedore, Fort Cochin.—*Respondent.*

#### AWARD

By L.R. 2(345) I, dated the 13th October 1952 of the Government of India, Ministry of Labour, New Delhi, the Industrial Dispute between the certain employers of Stevedore labour and their workmen at Port Cochin has been referred to this Tribunal for adjudication.

2. Pending adjudication of this dispute, the petitioner T. M. Ibrahim filed this petition, I.D. No. 5 (Central) of 1952, under Section 33-A of the Industrial Disputes Act.

3. The case of the petitioner is, that he was employed permanently as a stevedore worker by the respondent P. B. Abdulrahman Kutty, that on the ground that the petitioner was not a member of the Cochin Thuramukha Thozhilali Union he was punished and discharged from service on 2nd February 1952, and that the petitioner should be reinstated with wages.

4. On behalf of the respondent it is contended that there is no transgression of Section 33 of the Industrial Disputes Act, and that in any case there are no grounds for awarding the relief asked for by the petitioner.

5. The points that arise for determination are:—

1. Whether there has been a contravention of Section 33 of the Industrial Disputes Act?
2. Whether the discharge of the worker is justified?
3. Whether the petitioner is entitled to reinstatement?
4. Whether he is entitled to compensation?

5. Points 1 to 4.—At the time the petition came on for hearing, it was stated by the petitioners' Advocate Mr. T. C. Narayanakutty Menon that he was not pressing the petition. An endorsement was made to that effect on the petition by Mr. Menon.

6. Mr. Pal for the respondent said that he was not pressing for costs.

7. In the result the petition is dismissed as not pressed. No order as to costs. An award is passed accordingly.

Dated at Tuticorin Camp, this the 23rd day of April 1953.

E. KRISHNAMURTHI,  
Industrial Tribunal at Madurai

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL.

PRESENT.—Sri E. Krishnamurthi, M.A., B.L., Industrial Tribunal at Madurai.

*Thursday, the 23rd April, 1953.*

INDUSTRIAL DISPUTE No. 21 (CENTRAL) OF 1952.

BETWEEN

Worker Luis Joseph, Pallipparambil, Manchery, Pallurthy, represented by  
the Cochin Port Cargo Labour Union, Mattancherry, Cochin.—*Petitioner.*

AND

The management of Messrs. Parry & Company, Limited, Cochin.—*Respondent.*

#### AWARD

By L.R. 2(345) I, dated 13th October 1952 of the Government of India, Ministry of Labour, New Delhi, the Industrial Dispute between certain employers of stevedore labour and their workmen at Port Cochin, has been referred to this Tribunal for adjudication.

2. This petition [I.D. No. 21 (Central) of 1952] is filed by Luis Joseph employed by the opposite party Messrs. Parry & Company Limited, Cochin.

3. The petitioner's case is, that the respondent has contravened Section 33 of the Industrial Disputes Act of 1947 by discharging him on 12th November 1952 without the permission of this Tribunal and without any reasonable cause, and that the petitioner must be reinstated together with back wages.

4. The respondent alleges in the counter that the petitioner was not an employee at all, that the respondent was not a party to I.D. No. 18 (Central) of 1951, till he was impeaded by Order dated 8th November 1952 which was published in the Gazette of India dated 15th November 1952, that in any event there was no contravention of Section 33 and that the petitioner is not entitled to any relief.

5. The points for decision are:—

1. Whether the petition does not lie against the respondent?
2. Whether there is a contravention of Section 33 of the Industrial Disputes Act?
3. Whether the petitioner was an employee of the respondent?
4. To what relief by way of reinstatement and or compensation is the petitioner entitled?
5. What orders should be made regarding costs?

6. *Issues Nos. 1 to 5.*—At the time the petition came on for hearing Mr. T. C. Narayanakutty Menon, on behalf of the petitioner stated that he was not pressing the petition. A memo was filed to that effect on 7th March 1953. The respondent's Advocate Mr. G. B. Pal represented that he was not pressing for costs.

7. In the result the petition is dismissed as not pressed and without costs. An award is passed accordingly.

Dated at Tuticorin Camp, this the 23rd day of April 1953.

E. KRISHNAMURTHI,  
Industrial Tribunal at Madurai.

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL.

PRESENT.—Sri E. Krishnamurthi, M.A., B.L., Industrial Tribunal at Madurai.

Thursday, the 23rd April, 1953.

INDUSTRIAL DISPUTE No. 22 (CENTRAL) OF 1952.

#### BETWEEN

Worker Appi Velayudhan, Mundipparambil, Thozhup, Palluruthy, represented by the Cochin Port Cargo Labour Union, Mattancherry, Cochin.—  
*Petitioner.*

#### AND

The management of Messrs. Parry & Company, Limited, Cochin.—*Respondent.*

#### AWARD

By L.R. 2(345) I, dated 13th October 1952 of the Government of India, Ministry of Labour, New Delhi, the Industrial Dispute between certain employers of stevedore labour and their workmen at Port Cochin has been referred to this Tribunal for adjudication.

2. This petition [I.D. No. 22 (Central) of 1952] is preferred by one Appi Valayudhan whose complaint is, that his services under the respondent, Messrs. Parry and Company Limited, were unlawfully terminated on 12th November 1952, that the respondent has contravened the provisions of Section 33 of the Industrial Disputes Act and that the petitioner is entitled to be reinstated in service with compensation.

3. The contention on behalf of the respondent is, that the petitioner was not an employee of the respondent at all, that in any case the order impleading the respondent was published only on 15th November 1952 in the *Gazette of India*, and that there is no transgression of Section 33 of the Industrial Disputes Act.

4. The points for decision are:—

1. Whether the petitioner was an employee of the respondent?
2. Whether the services of the petitioner were terminated unlawfully as contended on his behalf?
3. Whether the discharge of the petitioner is legal and valid, if he was an employee of the company?
4. Whether there is contravention of Section 33 of the Industrial Disputes Act?
5. Whether the petitioner is entitled to reinstatement and or compensation?
6. What orders should be made regarding costs?

5. *Issues Nos. 1 to 6.*—At the time the petition came on for hearing Mr. T. C. Narayanakutty Menon, the Advocate for the petitioner stated that he was not pressing the petition, *vide* memo dated 7th March 1953 of Mr. Menon filed in I.D. No. 21 (Central) of 1952. The respondent's learned Advocate Mr. G. B. Pal does not press for costs.

6. In the result the petition is dismissed as not pressed and without costs.

7. An award is passed accordingly.

Dated at Tuticorin Camp, this the 23rd day of April 1953.

E. KRISHNAMURTHI,  
Industrial Tribunal at Madurai.



## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL.

PRESENT.—Sri E. Krishnamurthi, M.A., B.L., Industrial Tribunal at Madurai.

*Thursday, the 23rd April 1953.*

INDUSTRIAL DISPUTE No. 23 (CENTRAL) OF 1952

BETWEEN

Worker Kadutha Govindan, Thareppadeth, Kadembhagam, Palluruthy, represented by the Cochin Port Cargo Labour Union, Mattancherry, Cochin.—*Petitioner.*

AND

The management of Messrs. Parry & Company, Limited, Cochin.—*Respondent.*

## AWARD

By L.R. 2(345)-I, dated 13th October 1952 of the Government of India, Ministry of Labour, New Delhi, the Industrial Disputes between certain employers of stevedore labour and their workmen at Port Cochin has been referred to this Tribunal for adjudication.

2. This petition [I.D. No. 23 (Central) of 1952] is filed by Kadutha Govindan who complains that he was an employee of Messrs. Parry and Company Limited, the respondent, that he was unlawfully discharged from service on 12th November 1952 without the permission of this Tribunal and that the petitioner should be reinstated and back wages paid to him.

3. The respondent's case is, that the petitioner was not his employee at all, that the respondent was impleaded by Order of the Central Government in the *Gazette of India* dated 15th November 1952, that in any case there is no transgression of Section 33 of the Industrial Disputes Act, and that the petitioner is not entitled to any relief.

4. The following points arise for determination:—

1. Whether the petitioner was an employee of the respondent?
2. If so, whether his services were terminated unlawfully as alleged by the petitioner?
3. Whether the discharge of the petitioner is lawful and valid?
4. Whether there has been a contravention of Section 33 of the Industrial Disputes Act?
5. To what relief by way of reinstatement and/or compensation is the petitioner entitled?
6. What orders should be made regarding costs?

5. *Issues Nos. 1 to 6.*—At the time the petition came on for hearing the petitioner's advocate Mr. T. C. Narayanakutty Menon represented that the petition was not pressed, vide memo dated 7th March 1953 filed in I.D. No. 21 (Central) of 1952.

6. Mr. G. B. Pai for the respondent endorsed in the petition that he was not pressing for costs.

7. In the result the petition is dismissed as not pressed. No order regarding costs.

8. An award is passed accordingly.

Dated at Tuticorin Camp, this the 23rd day of April 1953.

E. KRISHNAMURTHI,  
Industrial Tribunal at Madurai.

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL.

PRESENT.—Sri E. Krishnamurthi, M.A., B.L., Industrial Tribunal at Madurai.

*Thursday, the 23rd April 1953.*

INDUSTRIAL DISPUTE No. 24 (CENTRAL) OF 1952

## BETWEEN

Worker Raman Padmanaba Pillai, Head Load Labourer, Messrs. Parry and Company Limited, represented by the Cochin Port Cargo Labour Union, Mattancherry, Cochin.—*Petitioner.*

## AND

The management of Messrs. Parry & Company, Limited, Cochin.—*Respondent.*

## AWARD

By L.R. 2(345)-I, dated 13th October 1952 of the Government of India, Ministry of Labour, New Delhi, the Industrial Dispute between certain employers of stevedore labour and their workmen at Port Cochin, has been referred to this Tribunal for adjudication.

2. Pending adjudication of the above dispute, this petition, I.D. No. 24 (Central) of 1952, is filed by Raman Padmanaba Pillai, whose complaint is, that he was employed by the opposite party, Messrs. Parry and Company Limited, that they dismissed him unlawfully on 12th November 1952, and that he should be reinstated with wages.

3. The respondent's contention is that the petitioner was not their employee at all, that the company was impleaded by Order of the Central Government published in the *Gazette of India*, dated 15th November 1952, and that there is no transgression of Section 33 of the Industrial Disputes Act.

4. The points that arise for determination are:—

1. Whether the petitioner was an employee of the respondent?
2. If so, whether the services of the petitioner were unlawfully terminated by the respondent?
3. Whether the discharge of the petitioner is legal and valid?
4. Whether there is contravention of Section 33 of the Industrial Disputes Act?
5. To what relief by way of reinstatement and/or payment of compensation is the petitioner entitled?
6. What order should be made regarding costs?

5. *Issue No. 1 to 6.*—At the time the petition came on for hearing Mr. T. C. Narayanakutty Menon, the Advocate for the petitioner stated that he was not pressing the petition, *vide* memo dated 7th March 1953 of Mr. Menon filed in I.D. No. 21 (Central) of 1952. The respondent's learned advocate Mr. G. B. Pal does not press for costs.

6. In the result the petition is dismissed as not pressed and without costs.

7. An award is passed accordingly.

Dated at Tuticorin Camp, this the 23rd day of April 1953.

E. KRISHNAMURTHI,  
Industrial Tribunal at Madurai.

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL.

PRESENT.—Sri E. Krishnamurthi, M.A., B.L., Industrial Tribunal at Madurai.

*Thursday, the 23rd April 1953.*

INDUSTRIAL DISPUTE NO. 25 (CENTRAL) OF 1952

BETWEEN

Worker Itteathi Kantoo, Nilkarthil House, Konam, Pallurthy, represented by  
the Cochin Port Cargo Labour Union, Mattancherry, Cochin.  
—*Petitioner.*

AND

The management of Messrs. Parry & Company, Limited, Cochin.—*Respondent.*

## AWARD

By L.R. 2 (345)-I, dated 13th October 1952 of the Government of India, Ministry of Labour, New Delhi, the industrial dispute between certain employers of stevedore labour and their workmen at Port Cochin, has been referred to this Tribunal for adjudication.

2. Pending adjudication of the above dispute, this petition, I.D. No. 25 (Central) of 1952, is filed by Itteathi Kantoo, whose complaint is, that he was employed by the opposite party, Messrs. Parry & Company Ltd., that they dismissed him unlawfully on 12th November 1952, and that he should be reinstated with wages.

3. The respondent's contention is, that the petitioner was not their employee at all, that the company was impleaded by Order of the Central Government published in the *Gazette of India* dated 15th November 1952, and that there is no transgression of Section 33 of the Industrial Disputes Act.

4. The points that arise for determination are:—

1. Whether the petitioner was an employee of the respondent?
2. If so, whether the services of the petitioner were unlawfully terminated by the respondent?
3. Whether the discharge of the petitioner is legal and valid?
4. Whether there is contravention of Section 33 of the Industrial Disputes Act?
5. To what relief by way of reinstatement and/or payment of compensation is the petitioner entitled?
6. What orders should be made regarding costs?

5. *Issues Nos. 1 to 6.*—At the time the petition came on for hearing Mr. T. C. Narayanakutty Menon, the Advocate for the petitioner stated that he was not pressing the petition, vide memo dated 7th March 1953 of Mr. Menon filed in I.D. No. 21 (Central) 1952. The respondent's learned advocate Mr. G. B. Pai does not press for costs.

6. In the result the petition is dismissed as not pressed and without costs. An award is passed accordingly.

Dated at Tuticorin Camp, this the 23rd day of April 1953.

E. KRISHNAMURTHI,  
Industrial Tribunal at Madurai.  
[No. LR.2(345).

]

S.R.O. 911.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the management of Sree Commercial Colliery of Messrs. East Madhuban Coal Limited and their workmen.

## CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD.

REFERENCE No. 31 OF 1951.

PRESENT:

Shri L. P. Dave, B.A., LL.B.—*Chairman.*

PARTIES:

The management of Sree Commercial Colliery of Messrs. East Madhuban Coal Company Limited,

AND

Their workmen.

APPEARANCES:

Shri S. S. Mukherjee, Pleader, Dhanbad—*For the Management.*Shri D. L. Sen Gupta, Advocate, Calcutta—*For the workmen.*

## AWARD

By the Government of India, Ministry of Labour notification No. LR.2(353) dated 28th November 1951 read with notification No. LR.2(395) dated 4th February 1953, the dispute between the management of Shree Commercial Colliery of Messrs. East Madhuban Coal Company Limited and their workmen in respect of reinstatement of Shri Suraj Narain Singh, and Soshi Bauri Pokhria, has been referred to me for adjudication.

2. The dispute in this case relates to the discharge of two workers, namely Suraj Narain Singh and Soshi Bauri Pokhria. So far as S. N. Singh is concerned, he was working as an attendance clerk in the colliery which is now known as Shree Commercial Colliery but which was formerly known as Bright Jharla Colliery. He was dismissed by the management by a letter dated 4th August 1951. The workers (Union) allege that his dismissal was wrongful and as a result of victimisation. On the other hand, the management have made several allegations against S. N. Singh. So far as the other worker (namely Soshi Bauri) is concerned, he was working as a coal cutter and it is alleged by the Union that in order to harass him, the management stopped him from working as coal cutter and asked him to work as an earth and stone cutter. This was not suitable to him and he demanded more wages. The management therefore wrongfully dismissed him. On the other hand, the management's case is that Soshi Bauri was working on a contract basis and worked as a coal cutter in the quarry upto 30th November 1950. Thereafter the working of the quarry was stopped and Soshi Bauri along with others was offered the work of cutting of loose earth and stones. He accepted this and worked from 1st December 1950 to 28th February 1951. Then from 1st March 1951 to 23rd May 1951, he worked as a trammer. On 23rd May 1951, he applied for leave upto 5th June 1951, alleging that he had a very important work at his native place. The leave was granted. On 5th June 1951, he asked for extension of leave for 4 days on the ground of his illness. The management thereupon asked him to produce a medical certificate. He did not do so, nor did he turn up for employment. He thus overstayed his period of leave without any extension having been granted and he is therefore not entitled to reinstatement. Lastly the management urge that Soshi turned up on 27th August 1951 and took away all his belongings and the arrears of his wages, and left his dowrah of his own accord.

3. The following issues are framed:

1. Is it proved that the discharge of Shri Suraj Narain Singh, Ex-attendance clerk and Soshi Bauri Pokhria was legal?
2. Are they entitled to be reinstated?
3. What compensation, if any, are they entitled to?
4. My findings are:
  1. No, so far as S. N. Singh is concerned.  
Yes, so far as Soshi Bauri Pokhria is concerned.
  2. Yes, so far as S. N. Singh is concerned.  
No, so far as Soshi Bauri is concerned
  3. Nil, so far as Soshi Bauri is concerned.

5. The Commercial Colliery now belonging to East Madhuban Coal Company Limited was originally known as Bright Jharia Colliery and belonged to one Dhana Premji and Co. It appears that in 1949 one Shri R. C. Sarkar was appointed Receiver of this colliery by the Civil Court, Dhanbad. The colliery was sold by auction by the Receiver and purchased by one Shri H. P. Agarwalla, who later on sold it to Messrs. East Madhuban Coal Company Limited and thereafter the Colliery's name was changed to Sri Commercial colliery.

6. From the papers in the file of the Regional Labour Commissioner, it appears that the wages of the workers had fallen into arrears during the time of the management of the Receiver, or at any rate the Union claimed that wages amounting to Rs. 50,000 and odd were in arrears at the time when the colliery was purchased by the present management. The workers were claiming that the present management should pay up the arrears. Conciliation proceedings were held on 3rd February 1951 and on certain issues agreement was reached. Proceedings were adjourned and again held on 28th February 1951 when agreement on some other points was also reached. A copy of this agreement was sent by the Conciliation Officer to the Chief Labour Commissioner, New Delhi by letter No. COD/6(43)/51/740-41, dated 9th March 1951. This letter is serial No. 32 of the Regional Labour Commissioner's file.

7. It appears that even after this, the workers were complaining that this agreement was not being implemented by the management and several requests were made by them to the Regional Labour Commissioner in this connection and the Regional Labour Commissioner entered into some correspondence with the management about this. Ultimately, clerk S. N. Singh started a fast in his room from 13th July 1951 as a protest against the non-implementation of the above agreement by the management. It further appears that he was persuaded to break his fast on 26th July 1951. During the period of his fast, he was on leave. He asked for leave for two days by his letter, dated 13th July 1951 wherein he stated that he had great pain in his belly and was unable to attend his work on that day and asked for leave for two days on 13th July 1951 and 14th July 1951. This leave was granted to him. On 16th July 1951 he gave another application saying that he was indisposed and unable to attend his work and leave should be granted to him from 16th July 1951 to 21st July 1951. He was thereupon asked to produce medical certificate. In reply to this, he wrote a letter that he had informed the management about his illness and still the colliery doctor had not seen him and he could not attend work but under compulsion (i.e. because of orders of the management), he would have to join his duties. He was therefore joining duties though ill, but for anything untoward that may happen to him, the management would be responsible. On receipt of this letter, the management granted him leave from 16th July, 1951 to 21st July 1951. On 21st July 1951, he wrote to the management saying that his leave had expired on that day but that he was unable to join work and that leave may be granted to him from 23rd July 1951 to 31st July 1951. Leave without pay was granted to him as prayed for. Before this leave expired, the management wrote letter to him on 30th July 1951, stating that he had applied for and was granted leave upto 31st July 1951 on the ground of his sickness and consequent inability to work; but that it had transpired that he was not really sick and that he was making use of his leave in an action which went to some length in propagating indiscipline amongst the workers and which, if allowed to continue, may in some days be a serious consequence to the colliery. He (S. N. Singh) was therefore asked to join his duties immediately and was also asked to explain within 48 hours why action should not be taken against him on charge of falsification (i.e. making false representations) and indiscipline. S. N. Singh sent a reply to this notice on 1st August 1951. Therein he stated that on 10th July 1951 he had sent a letter to the officer in charge containing the grievances of the labourers in general and himself in particular, and had also stated in that letter that if the grievances were not settled by 12th July 1951, he would resort to hunger strike. On 11th July 1951, the officer in charge told him that if he went on leave without permission and if he went on hunger strike without just cause, the company would serve him with a notice. It was because of this and because of what the in-charge asked him that he made a report on 13th July 1951 for leave on the ground of illness. For the same reasons, he extended his leave upto 21st July 1951. The leave subsequent to 21st July 1951 was extended due to inability to work. He denied the charges of spreading discontent etc. levelled against him. After this, the management passed an order on 4th August 1951 to the effect that the reply of S. N. Singh was not at all satisfactory and that he admitted that he applied for leave on false pleas and now put the blame on others, to save his skin. It was further stated that as regards the charge of indiscipline, he had side-tracked the issue and no reply was given to this charge and that charge was also held to be proved. It was also stated that he was asked to join his duties immediately on receipt of the letter of 30th

July 1951, but he had not done so and this also showed indiscipline on his part. For these reasons, S. N. Singh was dismissed with immediate effect. It is this order which has given rise to the present reference.

8. Before proceeding further, I may mention that in their written statement the management have also made other allegations against S. N. Singh. It has firstly been said that while the colliery was in the management of the Receiver, S. N. Singh had assaulted an employee of the Receiver and that the Subordinate Judge after enquiry was satisfied about the charges and order him to vacate the quarters in the colliery. There is nothing on record to substantiate this allegation. It is true that one B. P. Sinha, who is a ration clerk in the colliery and who has been examined on behalf of the management, has said that in March 1950, S. N. Singh had assaulted one Prabat Sarkar, who was the cashier of the Receiver, and that he was present at that time; but I do not believe him. He admits that the police were informed about this assault and came there but they did not record his statement, nor did he inform the police that he was present when the assault took place. He further said that there was no evidence about the assault and that is why no action was taken against S. N. Singh. Mr. Sinha is a ration clerk and still he has alleged personal knowledge about so many things. If he was really present when the above assault took place, I am sure he would have told that fact when the police came there or the person who was assaulted would have said that he was present; and in any case, the police would have recorded his statement. The fact that his statement was not recorded by the police clearly shows that he must not have been present when the alleged assault took place. I do not believe him when he says that the assault took place in his presence. The person said to have been assaulted has not been examined nor any certified copies produced to show as to whether any report was made by the Receiver against S. N. Singh, or whether the Sub-Judge made an enquiry and passed any orders. Lastly it may be noted that this has not been made a ground for the dismissal of S. N. Singh either in the charge-sheet served on him on 30th July 1951 or in the letter of dismissal on 4th August 1951.

9. It has then been alleged in the written statement that S. N. Singh had been charge-sheeted for insubordination for his refusal to carry out lawful orders of the in-charge and for intimidating one Bhogilal who was an employee of the management. Excepting the charge-sheet then served on him and his reply thereto, there is no evidence in support of these allegations. S. N. Singh denied these charges in his reply to the charge-sheet. Bhogilal has not been examined nor has the in-charge been examined and there is no evidence to substantiate the correctness of these charges. Further these charges have not been referred to in the charge-sheet of 30th July 1951 or in the letter on 4th August 1951.

10. It has further been alleged in the written statement that S. N. Singh had absented himself without leave on 7th July 1951 and a charge-sheet was issued against him for the same. Here also there is no evidence. No doubt a charge-sheet appears to have been served on S. N. Singh in this connection and he replied to it denying the charge. There is no evidence in support of the allegation. Again, this alleged absence on 7th July 1951 has not been made a ground of dismissal either in the charge-sheet served on 30th July 1951 or in the letter, dated 4th August 1951.

11. The charge for which he has been dismissed by the letter, dated 4th August 1951 is contained in the letter, dated 30th July 1951. This letter runs as under:

"You applied for and were granted leave upto 31st July 1951 on grounds of your reported sickness and consequent inability to work. But now it transpires that you are not really sick and making use of your leave in acts and commissions which go to some length in propagating indiscipline amongst our worker and which, if allowed to continue, may in some days be of serious consequence to the colliery.

I would therefore like you to join your duty immediately and explain within 48 hours why action should not be taken against you on a charge of falsification and indiscipline."

This letter thus says that S. N. Singh had applied for and was granted leave upto 31st July 1951 on grounds of his reported sickness and consequent inability to work and that it transpired that he was not really sick and that he was making use of his leave in acts and commissions which went to some length in propagating indiscipline amongst the workers and which if allowed to continue may in some days be of serious consequence to the colliery. Now it is an admitted fact that S. N. Singh was on leave from 13th July 1951 to 31st July 1951. This leave was granted to him in three instalments. He first applied for leave for two days on 13th July 1951 saying that there was strong pain in his stomach. This leave was

granted to him. Then on 16th July 1951 he asked for leave from that day to 21st July 1951 saying that his health was not good. An order was passed below the application that he should produce a medical certificate. On this, he wrote a letter saying that he had informed the management about the illness three days ago, still the colliery doctor had not cared to see him even once during this period and that in his present condition; he was not fit to attend to his duties; but under compulsion, because of the orders of the management, he would have to do so and he was therefore going to join his duties but warned the management that if anything untoward happened to him, they would be held responsible for it. On receipt of this letter, leave was granted to him from 16th July 1951 to 21st July 1951. On 21st July 1951, he wrote another letter saying that he was not in a position to attend his duties and he should be granted leave from 23rd July to 31st July 1951. Leave was accordingly granted to him without pay. The case of the management is that S. N. Singh was really never unwell and that he had taken the leave on false grounds. They further allege that he was making use of his leave in doing acts and commissions which went to some length in propagating indiscipline among the workers.

12. It is true that the statement in the application for leave made on 13th July 1951 that he had strong pain in his stomach does not appear to be true. In his letter, dated 1st August 1951 addressed to the management he has not alleged that he was really ill nor has he in his deposition before this Tribunal said that he had pain in his stomach and that is why he had asked for leave from 13th July 1951. His case is that he had started a hunger strike from 13th July 1951 and that is why he asked for the above leave. In his explanation, dated 1st August 1951, he had said that it was the in-charge who suggested to him that he should ask for leave on this ground and that is why he wrote in that application that he had strong pain in the stomach. The management does not appear to have held any inquiry about the correctness of this allegation. In the letter, dated 4th August 1951 ordering his dismissal, it has been said that he was trying to put the blame on others to save himself for his action. This statement however is without any basis. If the management had examined the officer-in-charge, who, according to S. N. Singh, had advised him to ask for leave on the ground of illness and if he had denied it, the matter may have been different. As it is, it could not be said (without examining the in-charge) that the allegation made by S. N. Singh was not correct. So far as the other two applications of leave are concerned, I do not think it could be said that they contained false grounds. In the letter, dated 16th July 1951, S. N. Singh said that his health was not good. He was asked to produce a medical certificate and thereupon he showed his readiness to join his duties, but warned the management that if anything untoward happened to him, they would be responsible and thereupon they immediately granted him leave. In this connection, it may be remembered that S. N. Singh was already on fast from 13th July 1951. In other words, 16th July 1951 was the 4th day of his fast and naturally he must have not been feeling well or fit and must not have been in a position to attend his duties. I do not think that the application for leave made on 16th July 1951 could be said to contain false allegations.

13. In his last application for leave made on 21st July 1951, he has not said that he was not well. All that he has said was that he was not in a position to attend to his duties. By this time, his fast had continued for over a week and we find that the management immediately granted his leave asked for by him. He broke his fast on or about 26th July 1951. It is thereafter that the management gave him notice of 30th July 1951 referred to above.

14. In my opinion, the management granted leave to S. N. Singh with the full knowledge that he was taking leave to start a fast. Mr. B. P. Sinha, who has been examined on behalf of the management in the case, lives in the room adjoining the room of S. N. Singh and he says that he heard about the hunger strike on 13th July 1951, i.e., on the very day he started it. I am sure that the management must have learned about it on the very day. Both according to the evidence of Sinha and S. N. Singh, many workmen were visiting S. N. Singh at his room during the period of his hunger strike. The room is in the colliery premises and I do not think that such a thing as a clerk having gone on hunger strike would not have reached the ears of the management on the very day. According to the allegations of S. N. Singh made in his letter of 1st August 1951, he had written a letter to the management and handed it over to the officer in charge on 10th July 1951 mentioning the grievances of the labourers and stating that if they did not redress the grievances of the workers, he would resort to hunger strike. This letter has not been produced by the management nor is there denial that this letter had reached them. The management have then produced a letter said to have been written by the medical officer on 19th July 1951 to the effect that while visiting dowrahs on that day, he had

visited S. N. Singh's quarter and enquired about his health and he said that he was alright and he also found him in good health. The Medical Officer who is said to have written this letter has not been examined. By that day, S. N. Singh was already on fast for about a week and the medical officer's examination could have shown that he was weak and not in a position to attend his duties. The medical officer does not make any reference to this. At least by this time, the management must have known that S. N. Singh was on a hunger strike and still we find in a letter written by them on 21st July 1951 to the Regional Labour Commissioner that they never knew that S. N. Singh had resorted to a fast. In my opinion, this cannot be believed. The management must have been knowing from the very beginning that S. N. Singh was on fast; and to avoid any unpleasant complications, they readily granted him leave when he asked for it on 13th. When he asked for extension, they first asked for a medical certificate; but as soon S. N. Singh told them that he would join the duties though not well, and if anything untoward happened, the management would be responsible, the management climbed down and immediately granted him leave. This clearly shows that the plea made by S. N. Singh in his first application for leave that he had pain in his stomach was known by the management to be not true from the very beginning and still they condoned it and granted the leave asked for. Even if they did not then know that the plea was not correct, they must have known it by the time the extension of leave was asked for. But they condoned it and granted extensions asked for. I may repeat that they must probably have done so to avoid any unpleasant repercussions that may ensue, if something happened to a workman, if he was forced to work even though he was on a hunger strike. In my opinion, therefore, the charge that S. N. Singh had made false representations cannot be sustained because the management knew what the correct facts were and did not grant leave as a result of the false representations; i.e., they were not misled. I may then point out that even if the application made on 13th contained statements which were not true, the other two applications did not contain any false or untrue statements. As a said above, in his application on 16th, he had said that he was not feeling well and in the application dated 21st July 1951, he had said that he was not in a position to attend his duties. As he was on hunger strike at the time he made these applications, I think the statements that he was not feeling well and that he was not in a position to attend his duties cannot be said to have been false or incorrect. I may also repeat that S. N. Singh's plea in his letter of extension of 1st August 1951 was that he made false statement in his first application for leave because he was advised to do so by the in-charge. The management did not make any enquiries in this connection and the order of dismissal was passed by them without ascertaining the truth or otherwise of these allegations. It must therefore to be held to be illegal.

15. It has then been alleged that by the above letter dated 30th July 1951, S. N. Singh was asked to resume his duties forthwith and he failed to do so; and this showed that he was guilty of insubordination. The letter of 30th July 1951 reached at 3-30 P.M. on that day as stated by him in his letter of 1st August 1951. He had already been granted leave upto 31st July 1951 because he was not in a position to attend his duties. He had been on hunger strike from 13th July 1951 to 26th July 1951. In other words, he had fasted for about 14 days, and was thereafter taking rest. The leave had already been granted to him upto 31st July 1951. All of a sudden, he was told on 30th July 1951 that he must join his duties immediately. The earliest he could do so would have been on 31st July 1951. As the leave has already been granted to him upto 31st July 1951, it could not be said that he was guilty of insubordination for not joining his duties on 31st July 1951 when asked to do so.

16. It has lastly been alleged that he was making use of his leave in acts and commissions which went to propagate indiscipline among the workers. For this, there is not an iota of evidence. Rightly or wrongly, S. N. Singh thought that the only way to protest against the action of the management in the alleged non-implementation of an agreement was to go on hunger strike. He therefore started a hunger strike in his own room. It is true that many workmen went to see him in his room but that would not mean that he was preaching or propagating indiscipline amongst them. When a person resorts to a hunger strike, people go and see him out of sympathy or sometimes even out of curiosity. There is no evidence that S. N. Singh made a speech or speeches to the workers or incited or preached indiscipline among them. It was said that the very fact that he was on hunger strike amounted to preaching indiscipline. I am unable to agree with this view. A hunger strike or fast is often resorted to force or compel the other side to do a particular thing; but that would not mean that the action would amount to preaching indiscipline among other workers.



17. On the whole, after considering all the relevant facts and evidence in the case, I am not satisfied that the charges levelled against S. N. Singh were proper or justified but were on the fact of it, levelled against him with the ulterior motive of dismissing him. In my opinion, this is a clear case of victimisation. S. N. Singh appears to have been taking a leading part in the labour activities. In the conciliation proceedings held on 3rd February 1951 referred to above, he was one of the representatives of the workers as being a member of the executive committee of the Union. He went on hunger strike, because, according to him, the above agreement was not implemented by the management. The management thus found him to be an undesirable (from their point of view) person; and therefore, as soon as he ended the hunger strike, they gave him a charge-sheet and dismissed him. In doing so, they did not hold an enquiry as to whether the allegations made by him were true or not. In my opinion, they knew from the outset that he had asked for leave because he was going on a hunger strike and for no other reason and they could not subsequently say that he was guilty of false representations. The management have ordered the dismissal in colourful exercise of their rights, and are also guilty of victimisation. He is therefore entitled to be reinstated from the date of dismissal with payment of arrears of pay, etc.

18. The case of Soshi Bauri stands on a different footing. According to the workmen's case (i.e., according to their written statement), he was dismissed because the new job given to him was not suitable and because rates were not adequate and he demanded more wages. On the other hand, the management say that he was formerly working on a contract basis as coal cutter. When the work of coal cutting in the quarry was over, he and other workers were given the work of cutting of earth and stones. This work was also over on 28th February 1951. Thereafter Soshi Bauri worked as a trammer from 1st March 1951 to 26th May 1951, when he went on leave upto 5th June 1951. He then asked for extension of leave on the ground of illness, and was asked to produce a medical certificate, which he did not do nor did he turn up for work after this. The case of the management is supported by the papers produced by them. They have produced a notice dated 24th February 1951 stating that as they had no work of earth cutting to do, they were offering the work of trolley-men to the labourers. They have also produced the two applications of leave made by Soshi Bauri. One application for leave is for 14 days from 23rd May 1951 to 5th June 1951 saying that he had some work at his native place. Leave though not due was granted to him and he was asked to return in time and he was warned that if he did not come in time, his services would be terminated. The second application is of 5th June 1951 in which he has stated that he was on leave for 14 days but he was then suffering from fever and asked for extension of leave for 4 days. He was asked to produce a medical certificate but no such certificate has been produced by him. The management further alleged that after this he never turned up for any work but that he went to them on 27th August 1951 and took away the arrears of dues and also vacated the dowrah which was in his possession. Soshi Bauri has not been examined and there is no denial of the above allegations. Mr. Suraj Narain Jha, Secretary of the Tisra Coalfield Workers Union, has stated in his deposition that in May or June 1951, the water connection from Soshi Bauri's room was cut off and the supply of coal was withdrawn and so he was forced to leave the dowrah. He admitted that there was no separate water tap in each dowrah but there was a common tap for a net of several dowrahs. In other words, the water connection of Soshi Bauri alone could not have been cut off. It is then to be noted that in the written statement of the workmen, which has been filed by Shri Jha as Secretary of the Union, he has not mentioned this fact that the water connection of Soshi Bauri was cut off or that the supply of coal was withdrawn. This allegation cannot be relied upon.

19. The case of the workers as made out in the written statement regarding Soshi Bauri has not been substantiated. On the other hand, the allegations of the management in regard to this workman are corroborating by the documentary evidence produced by them. It shows that this workman was a temporary workman and when the original temporary work was over, he was given alternative employment. He then took leave which was granted to him. Later on, he asked for extension of leave, but this was not granted. He was asked for to produce a medical certificate which he did not do. Thereafter he did not rejoin or offer himself for employment at any date subsequent to this. On the contrary, he came and took away his dues and vacated his quarters. He has not come in the witness box to say that any of the allegations made by the management are not true. In these circumstances, I am of opinion that he cannot be reinstated.

20. The result is that out of the two workmen relating to whose reinstatement this reference has been made, I hold that Shri Soshi Bauri is not entitled to reinstatement, or compensation, but that Shri S. N. Singh is entitled to reinstatement,

i.e., to be put back in the same position as if he had never been discharged or dismissed, together with all the back pay, allowances and other privileges. This should be done within fifteen days of the publication of the award and I pass my award accordingly.

(Sd.) L. P. DAVE, *Chairman*,  
Central Government's Industrial Tribunal, Dhanbad.  
[No. LR. 2(353).]

*New Delhi, the 11th May 1953*

**S.R.O. 912.**—The following draft of certain further amendments in the Industrial Employment (Standing Orders) Central Rules, 1946, which it is proposed to make in exercise of the powers conferred by section 15 read with clause (b) of section 2 of the Industrial Employment (Standing Orders) Act, 1946 (XX of 1946), is published as required by sub-section (1) of the said section for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 25th June 1953.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

*Draft amendments*

In form I of Schedule II to the said Rules, the words "Central Government" shall be deleted.

[No. LR-11(98).]

**S.R.O. 913.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between Messrs. Dhanji Devjee and Sons, Jharia, and their workmen.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD**

*Reference No. 3 of 1952*

**PRESENT**

**Shri L. P. Dave, B.A., LL.B., *Chairman*.**

**PARTIES:**

**Messrs. Dhanji Devjee and Sons, Jharia**

**AND**

**Their workmen.**

**APPEARANCES:**

***For the employer:***

**Shri S. S. Mukherjee, Pleader, Dhanbad.**

***For the workmen:***

**Shri D. L. Sen Gupta, Advocate, Calcutta, assisted by Sri Suraj Narayan Jha, General Secretary, Tisra Coalfield Workers' Union.**

**AWARD**

By Government of India Notification in the Ministry of Labour No. LR.2(360), dated 23rd January 1952, read with Notification No. LR.2(395), dated 4th February 1953, the dispute between Messrs. Dhanji Devjee and Sons and their workmen regarding the reinstatement of four workmen mentioned in the first of the above notifications has been referred to me for adjudication.

2. The facts leading to this dispute are as under. On the night of 1st July 1951, a dacoity was committed at the colliery belonging to Messrs. Dhanji Devjee and Sons, and the residential quarters of the proprietor and other quarters were looted by the dacoits. It appears that in the course of the investigation, the police found that one Ali Hussain was concerned in the dacoity and he was thereupon arrested. This Ali Hussain was living with his father Kherati Meah who was serving as a peon in the above colliery for over 30 years. Kherati Meah had another son named

Sifayat Mian who was also living with him. Similarly Kherati Miah's son-in-law Hanif Mian was also living with him. Sifayat and Hanif were also in the employment of the above colliery, as watchmen. One Achhut Mahato, was also working as a watchman. On the arrest of Ali Hussain, the management issued charge-sheets to Kherati Miah, Achhut Mahato and Hanif on 28th July 1951, making various allegations and calling upon them to show cause why they should not be dismissed. They did not give any reply. So a reminder was sent to them on 1st August 1951 and to this also, no reply was given and thereupon all the three were dismissed on 2nd August, 1951. So far as Sifayat Mian is concerned, he was found to be absent from duty on the night of 22nd June 1951 and so a charge-sheet was served on him on 23rd June 1951. He was found to be sleeping on duty on the night of 26th July 1951 and so another charge-sheet was served on him on 28th July 1951. He gave a reply on 31st July 1951 admitting his absence on the night of 22nd June 1951 and giving an explanation about it. He gave no reply regarding the charge of his being found asleep on duty on the night of 26th July 1951. He too was dismissed by an order, dated 2nd August 1951.

3. The workmen want that all the above persons should be reinstated. It is alleged on their behalf that the charge sheets against the above persons were unjustified and illegal and the above persons were dismissed out of malice as they happened to be related to Ali Hussain. It was further alleged that so far as Achhut Mahato was concerned, he was not on duty on 1st July 1951, but was on leave.

4. The management have alleged that on enquiry they had learnt that some of the dacoits used to assemble at the quarters which were occupied by Kherati Miah, Sifayat Mian and Hanif Mian and that though Kherati Miah had full knowledge about it, he failed to bring the facts to the notice of the management and that this amounts to gross dereliction of duty. His conduct was unworthy of confidence and trust reposed on him. Regarding Achhut Mahato, they allege that though he was given leave upto (and inclusive of) 1st July 1951, he had actually rejoined duty on 1st July 1951 and that night he was on duty outside the compound. It is further alleged that the management learnt on enquiry that Achhut saw the dacoits coming from a distance and still made no attempts to inform others about it nor did he offer any resistance, but on the contrary, asked the inside guard to open the main entrance and thus helped the dacoits. Regarding Hanif Mian, the management allege that he was on duty inside the compound of the residential quarters of the proprietor on the night of the dacoity, and that the management learnt on enquiry that on being asked by the dacoits, he readily opened the main entrance and thus helped them. Regarding Sifayat Mian, the management allege that he was found absent from duty on the night of 22nd June 1951 and was found asleep on duty on the night of 26th July 1951. The management lastly urge that they have been informed and believe that all the above four workmen had direct and indirect complicity in the dacoity and they have lost all faith and confidence in them and they were dismissed on good, sufficient and valid grounds.

5. The following issues were framed:

1. Is it proved that the discharge of Messrs. Kherati Miah, Achhut Mahato, Hanif Mian and Sifayat Mian was legal?

2. Are they entitled to be reinstated?

3. What compensation, if any, are they entitled to?

6. My findings on the above issues are:

1. Yes; so far as Sifayat is concerned.

2. Yes; so far as Kherati Miah is concerned.

No, so far as the other three are concerned.

3. As detailed below.

7. As I said above, it is not in dispute that a dacoity took place at the residential quarters of the proprietor of Messrs. Dhanji Devjee and Sons and in connection with this offence, one Ali Hussain was arrested by the police. It is an admitted fact that Kherati Miah is the father of this Ali Hussain and Sifayat Mian is another son of Kherati i.e. Sifayat is the brother of Ali Hussain. It is further admitted that Hanif Mian is the son-in-law of Kherati i.e. brother-in-law of Ali Hussain. Lastly it is an admitted fact that all these persons namely Kherati Miah, Ali Hussain, Sifayat Mian and Hanif Mian live together in the same quarters. The management have alleged that on inquiry they had learnt that the dacoits used to hold meetings at the above quarters of Kherati Miah, who must have therefore been knowing about the proposed dacoity and still he took no steps to inform the proprietors about it. So far as Hanif Mian is concerned, he was that night on duty as a watchman in the compound of the residential quarters of the proprietors, and it has been alleged that he readily opened the gate when the dacoits

came. Achhut Mahato was a night guard and it is alleged against him that he also helped the dacoits. Accordingly, charge-sheets were served on these three persons and they have been dismissed. The case of Sifayat Mian stands on a different footing and he has also been dismissed on the ground that he was once found absent from duty, and on another occasion, he was found to be asleep while on duty.

8. Before I proceed to consider the case of each of the above workmen separately, I may refer to the principles which have to be observed in such cases. The leading case on the point is the case of Messrs. Buckingham and Carnatic Mills Ltd. and their workers reported at page 314 of L.L.J. 1951, Vol. II. It has been observed therein that in all cases of dismissal of a workman, the requirement of *bonafides* was essential, and that the termination of service in colourable exercise of the power or as a result of victimisation or unfair labour practice or of caprice should be prevented. The principles which have to be considered when a person has been dismissed for misconduct, are discussed in paras. 10, 11 and 12 of the above judgment at page 318. It has been observed that the power of the management to direct its internal administration which includes the enforcement of discipline of the personnel cannot be denied. But this power has to be subjected to certain restrictions. At the same time, undue interference by a Tribunal with the administration and management should not be encouraged. It has then been observed that it would be open to the Tribunal to examine the findings of the management on the charge of misconduct to assure itself that there is evidence to support the findings and that the decision of the management is a *possible* view on the evidence before it. In such cases, the Tribunal should refrain from substituting its own judgment for the judgment of the management; as in such matters the Tribunal does not act like a court of appeal, but rather as a supervisory body. Lastly it is observed that the decision of the management in relation to the charges against the employee will not prevail if (a) there is want of *bonafides* or (b) it is a case of victimisation or unfair labour practice or violation of the principles of natural justice, or (c) there is a basic error of facts or (d) there has been a perverse finding on the materials.

9. I shall now proceed to discuss the case against each of the above workmen separately one by one.

10. *Sifayat Mian*.—I shall first consider the case of Sifayat Mian. He was admittedly serving as a watchman. The Management's case is that they found him to be absent from duty on the night at 11 p.m. on 22nd June 1951 and for this a charge-sheet was served on him on 23rd June 1951. He did not give any reply to this charge sheet till 31st July 1951. In the meanwhile, it is said that he was found asleep while on duty at 2 a.m. on 26th July 1951 and for this he was served with a charge sheet on 28th July 1951. He gave a reply on 31st July 1951, admitting that he was absent from duty at 11 p.m. on 22nd June 1951 and alleged that a person who had lost his way, enquired from him as to what was the way to go to Surunga and he told him that he should go with a hookman who was going. He further said that the hookman had already left and so he accompanied the person upto a point and sent that person with the hookman. He was thus absent during this period. The management by order, dated 2nd August 1951 dismissed him.

11. Thus so far as Sifayat Mian is concerned, according to his own reply (Annexure 'A' dated 31st July 1951) to the charge-sheet (annexure 'I' served on 23rd June 1951) he admitted that he was absent from duty at 11 p.m. on 22nd June 1951. He says that he went to show the way to a person who enquired from him about the way to go to a particular village. He was a night guard on duty and merely because some passer by asked him to show him a particular way, he should not have left his post of duty and gone out to a considerable distance to show the way to that person. Beyond pointing out the direction, it was not proper for him to have left the place when his duty was that of a night guard. I may also mention that this explanation given by him does not appear to be correct, because he did not give a reply to the charge-sheet which was served on him on 23rd June 1951 for over a month. It was only on 31st July 1951 that he gave the above explanation. We then find that in the meanwhile, another charge-sheet was served on him on 28th July 1951 alleging that he was found sleeping on duty at 2 a.m. on the night of 26th July 1951. To this, he gave no reply. It may be noted that in this charge-sheet (Annexure 'J'), the Managing Director had stated that he had himself found Sifayat Mian asleep and that though he called Sifayat several times loudly, he did not wake up. It was only after he opened the main door and went very close to him that Sifayat woke up. In other words, the Managing Director had personal knowledge about Sifayat Mian being found asleep while on duty at night. As I said above, though Sifayat Mian replied to the first charge-sheet (Annexure 'I'), he did not give any reply to the second (Annexure 'J').

12. For a night watchman to leave his place of duty and go away for sometime or to be found asleep on duty are very serious acts of misdemeanour. In my opinion, the management would be justified in dismissing that person. I may mention here that Sifayat has not come in the witness box to explain his absence from duty on the night of 22nd June 1951, nor has he denied his being found asleep on the night of 28th July 1951.

13. It is true that Sifayat Mian was a brother of Ali Hussain who was suspected to be involved in the dacoity but his dismissal was not on this ground but on the ground that he was absent from duty and found asleep on duty. I may point out that the first charge-sheet regarding absence from duty was served on him before the dacoity took place; and it could not be said that he is being victimised for being the brother of Ali Hussain. In my opinion, his dismissal is legal and proper.

14. Achhut Mahato.—I shall now take the case of Achhut Mahato. He was serving as a night guard. It is alleged by the management that at the time of dacoity, this person was on duty outside the compound gate and that he saw several dacoits coming there from a distance and still he did not make any attempt to inform anyone about it and also offered no resistance but on the contrary he asked the inside guard to open the door and thus facilitated entry of the dacoits in the house. A charge-sheet was served on him on 28th July 1951 and it is annexure 'D'. As he gave no reply, a reminder was sent to him on 1st August 1951. To this also, he did not give a reply and thereupon he was dismissed on 2nd August 1951.

15. In my opinion, his dismissal appears to have been as a result of mere suspicion without there being anything to justify the alleged suspicion. I may also mention that he has been dismissed without his having been given sufficient opportunity of explaining the charge against him.

16. As I said above, there is no doubt that he was served with a charge sheet on 28th July 1951. This charge-sheet was in English. The workman not only does not know English but is even illiterate and cannot read or write even Hindi. It appears that he went to the management and made a request that the charge-sheet should be served on him in Hindi, but the management refused to do so. This appears from a copy of a letter (reminder) addressed by the management to Hanif Mian and Achhut Mahato on 1st August 1951. This copy has been produced by the management as Annexure 'G'. In this letter, the management have said that they reminded Hanif Mian and Achhut Mahato to give their replies immediately to the charge-sheet of 28th July 1951. They have further stated that there was no such law that they had to write the charge-sheet in Hindi as he (Manager) knew English and not Hindi, and hence the charge-sheet given in English was quite sufficient. No reply was given to this also and so on 2nd August 1951 the management passed an order of dismissal of Achhut Mahato.

17. A person, against whom a serious charge of helping the dacoits is made, ought to be given an opportunity to meet the charge. Unless he understands what the allegations against him are, it would not be possible for him to give any explanation thereto. Serving of a charge-sheet on a workman before his dismissal is not a mere formality. It is one of the essentials of natural justice. The person should be not only told of what the charges against him are, but he should be explained as to what the charges are. Merely because the Manager or the Managing Director of the colliery does not know Hindi, it would not be proper for him to say that he was not bound to serve the charge-sheet in Hindi. He may serve the charge-sheet in English or in Hindi. The main question is whether the workman to whom the charge-sheet is served understood the contents thereof so as to enable him to give an explanation about it. In the case of this workman, it was clear that he had not understood the charge against him. He even requested the management to give the charge-sheet in Hindi but the management refused to do so. It is a fundamental right of an accused person that the charge against him should be explained to him, so as to enable him to meet that charge. This right was denied to this workman. There would have been no objection to the charge-sheet being in English, if, when requested by the workman, he was explained in his language what the charge against him was. This was not done. His dismissal was thus ordered without his having got an opportunity to explain the charge against him and on this ground alone, the dismissal would be held to be illegal.

18. On merits also, I think that his dismissal was not proper. As I said above, the charge against him was that though he saw the dacoits coming to the colliery, not only did he not give any information to anyone or offer any resistance, but he even asked the inner guard to open the gates and thereby aided and abetted the dacoits. His case is that he was not even on duty on that day. The management

admitted in their written statement that leave was granted to this workman upto and inclusive of 1st July 1951 but he rejoined his duties a day earlier and he was on duty on the night of 1st July 1951 when the dacoity took place. The workman was examined before this Tribunal and he stated that he was not on duty and that he was not even in Jharia on the night of dacoity but he returned from his home at 10 a.m. on 2nd July 1951. As against this testimony, the management have not produced an iota of evidence to show that this workman was on duty on the night of 1st July 1951. They could have produced their registers showing that this witness had rejoined duties on 1st July 1951. Normally a workman is not likely to resume his duties before the expiry of his leave; and if he had done so, the management would have easily proved it by producing their registers. I am not thus satisfied that this witness was on duty at the time of dacoity. The allegations against him that he did not raise any alarm or offer resistance when the dacoits came there or that he asked the inner guard to open the gate, do not appear to be justified.

19. I may mention that even according to the case of the management as mentioned in para. 10 of the written statement, they had learnt these facts on enquiry. It is not stated as to what enquiry the management had made and how they learnt about this workman having seen the dacoits or his having asked the inside guard to open the doors of the main entrance. It may be noted that Hanif Mian was the inner guard on that night. As I shall presently show, the charge against Hanif Mian was that, on the dacoits asking him, he readily opened the gate. Thus the management are not consistent in their charges against Achhut and Hanif. As against Achhut, they alleged that he asked inner guard Hanif to open the gate. As against Hanif, they alleged that the dacoits asked him to open the gate. Further they have alleged that Hanif is the brother-in-law of Ali-Hussain and he must have been privy to the plot of the dacoity, and that is why he opened the gate to enable the dacoits to enter the house. If Hanif was in the confidence of the dacoits, there was no necessity for Achhut to have asked Hanif to open the gates; because Hanif would have done so at the instance of the dacoits.

20. Reliance was placed on behalf of the management on a statement alleged to have been made by Achhut Mahato before the police on 2nd July 1951. Achhut denies having made the statement. The police officer who recorded the statement has not been examined; and in his absence it would not be proper to hold the statement proved when Achhut Mahato denies having made such a statement. Further the statement would only show that Achhut Mahato was present at the time of dacoity. It would not show that he in any way helped the dacoits. On the contrary, he is alleged to have stated therein that the dacoits pounced upon him caught hold of him by the neck and tied his hands and took him to the entrance and asked him to call Chaprassi to open the door and out of fear Achhut Mahato shouted to Hanif. This statement would not therefore mean that Achhut had anything to do with the dacoits. Apart from this, as I said above, I am not satisfied that Achhut made the statement nor am I satisfied that he was on duty or even present at the colliery at the time of the dacoity.

21. It appears that he has been charged with helping the dacoits out of mere suspicion. It is possible that the management may have heard some rumours that this person had helped the dacoits. But in my opinion, a person cannot be discharged from service merely because there was some rumour against him. There must be something tangible or concrete from which the management could come to the conclusion that he had helped the dacoits; that is, there must be some evidence from which it was possible to come to this conclusion. I am not satisfied that there was any such evidence from which it was possible for the management to hold that the charge was proved. In my opinion, the finding of the management is perverse and not justified.

22. I may also mention here that the management do not appear to have held any inquiry. They served a charge-sheet and sent a reminder as stated above; and on failure of the workman to reply to it, they (without holding any inquiry) held the charge proved and dismissed him. No doubt in the charge-sheet they had said that they had learnt the particular facts on inquiry; but at no stage have they disclosed what inquiry they had made, or from whom they had learnt the facts. They have not done so, even before the Tribunal. I am thus not satisfied that there was evidence to support the finding of the management or that the decision of the management was a possible view on the evidence before it.

23. Thus the dismissal of this workman is not justified, firstly because no proper opportunity was given to him to explain the charge against him, and secondly because, he is not shown to have even been present at the colliery when the dacoity took place and the finding against him that he aided the dacoits is perverse.

24. *Hanif Mian*.— Hanif Mian was on duty on that day as night watchman inside the compound and the charge against him is that when the dacoits came there, he readily opened the gate on being asked by the dacoits and thus facilitated commission of the dacoity. It was further alleged that his brother-in-law Ali Hussain had been arrested by police in connection with the dacoity, and he was therefore served with charge sheet, Annexure F, dated 28th July 1951 calling upon him to explain why action should not be taken against him. A reminder was sent to him on 1st August 1951 and as he failed to give any reply, he was dismissed on 2nd August 1951 by the letter, Annexure 'H'. In his case also, I think that the action of the management in dismissing him was illegal and improper.

25. In the case of this workman also, the charge-sheet was in English. This workman was also illiterate. He therefore went to the management and asked for the charge-sheet being served in Hindi but the management refused to do so. The letter annexure 'G' which is addressed to Hanif and Achhut shows this. I have already discussed this point when considering the case of Achhut and for the reasons already discussed, I hold that the dismissal of Hanif Mian would be illegal as he was not given any opportunity of understanding the charge against him.

26. On merits, the allegation against him is that the management had learnt on inquiry that on being asked by the dacoits, he (Hanif) readily opened the main entrance intentionally, deliberately and without raising any objection or resistance, and thus facilitated the commission of the dacoity. It is not mentioned as to what enquiries the management had made and from what evidence they learnt this. Admittedly no inquiry was made by the management after the charge-sheet was served on Hanif. The order of dismissal shows that it was passed because Hanif Mian did not care to reply to the charge-sheet.

27. It is true that the Tribunal is not sitting in appeal against the findings of the management but at the same time it is the duty of the Tribunal to see that a person has not been dismissed merely on suspicion or rumours. It appears that Ali Hussain was arrested by the police for alleged complicity in the dacoity and thereupon Hanif, who is the brother-in-law of Ali Hussain, was charge-sheeted and dismissed, because Hanif Mian happened to be a night guard on duty at the time of the dacoity. Probably the management thought that if there was complicity between Ali Hussain and the dacoits, it was quite possible that Hanif may also have been a party to the complicity. But this charge cannot be said to be proved merely on suspicion or rumours. It is equally possible that Hanif may not be having anything to do about the dacoity even though Ali Hussain may be concerned in it. As it is, there is nothing to show that Ali Hussain had any complicity in the dacoity. No doubt, he was arrested by the police; but I am told that he was acquitted after a trial. That being the position, it means that Ali Hussain is proved not guilty of the charge of being concerned in the dacoity. But even if he was guilty, it would not necessarily mean that all his relatives must also be guilty or must be knowing about the dacoity etc. There must be some tangible evidence from which it was possible for the management to come to the conclusion that Hanif had abetted the dacoits. It has not been shown as to whether there was any such evidence, and if so, what. In my opinion, the management must have assumed from the arrest of Ali Hussain by the police that not only he, but his brother-in-law Hanif who happened to be on duty that night must have complicity in the dacoity, and acting on this assumption, the management charge-sheeted and dismissed him (Hanif). In the absence of anything to confirm the suspicion, it would not be proper to act on assumptions and presumptions and hold that the night guard must have abetted the dacoits because his brother-in-law was arrested by the police in connection with the dacoity. In the case of Hanif also, the management held no inquiry after the charge-sheet was served on him. In the charge sheet, they had stated that they had learnt on inquiry that he had helped the dacoits; but at no stage, have they mentioned what these inquiries were, or from whom they had learnt this. They have also not mentioned these facts before the Tribunal. Hence, here also, it must be held that there was no evidence to support the finding of the management or that their decision was a possible view on the evidence before it. In other words, I think that the finding of the management against Hanif is also perverse and so, his dismissal would be unjustified.

28. It was then urged that Hanif approached the management and took away all his dues on 4th October 1951 after passing a receipt in full satisfaction of his dues. This receipt is proved by the evidence of Ram Kishore who wrote it. It is also admitted by Hanif; he however says that the receipt was not read out to him. In this connection, Hanif was not prepared to state the whole truth. The receipt written by Ram Kishore did not mention as to what amount was paid thereunder. Hanif was not prepared to say even approximately as to what amount was received

by him. The cash voucher, under which he was paid his dues, was thereupon ordered to be produced by the management and they have done so. It shows that he was paid his pay for the whole month of July and for 1st August 1951. He was further paid attendance bonus for this period and he was also paid an allowance for working on Sundays, quarterly bonus, pay for one month in lieu of notice and pay in lieu of casual leave, for the year 1950.

29. The question we have then to consider is what would be the effect of Hanif having received this payment. As I said above, he is illiterate. He said that he was starving. He was dismissed from service on 2nd August 1951. He had then not received his pay for July. That would mean that by 1st October 1951 he had received nothing for about 4 months. This would support his allegation that he was starving. He must therefore have naturally approached the management and the management paid him the above amounts. The question is whether he received the amounts with full understanding that he was going to give up all future claims against the management.

30. It has to be remembered that Hanif Mian is illiterate and he has put his thumb mark on the above writing. The above writing mentions that he had received his dues regarding pay, bonus, overtime allowance, notice pay, etc. in full settlement and that nothing was due to him from the company. This does not necessarily mean that he gave up his claim of reinstatement or of his having been wrongfully discharged. It may be noted that the above writing is written by one Ram Kishore Sukla who is working as a Loading Supervisor in the colliery. Ordinarily he is not supposed to write such receipts or writings. He is not working in the office but being a Loading Supervisor he would be on duty at some other place and from there, he was specially called. He says that it was Hanif Mian who called him, but I do not believe this; because he could not and would not have left the place of duty on being called by an employee. It must be the employer who must have sent for him and that is why he must have gone there. The fact that he was specially selected by the employer to write this receipt and a similar receipt of Kherati Meah would go to show that he was in the confidence of the employer and it is doubtful whether he must have explained the entire contents of the receipt to Hanif Mian.

31. As I said above, Hanif Mian had received nothing for about 4 months and he says he was starving. He approached the management and the management took the above writing from him. Being in need of money, he would not have asked for the contents of the receipts being explained to him. Unless it is clearly shown that he gave up his claim with the full knowledge of his rights, a writing of this sort would not have the effect of estopping him from claiming reinstatement or from claiming damages for wrongful dismissal. In this connection, I may also point out that the General Secretary, Tisra Coalfield Workers Union had already written to the Conciliation Officer, Dhanbad, on 3rd August 1951 alleging that Hanif and others had been wrongfully dismissed by the management and thereupon the Conciliation Officer had written a letter to the management, stating that he would take up the dispute for conciliation on 6th August. The workmen must have approached the Union and so the Union must have taken up the matter and written to the Conciliation Officer. As nothing came out of it for two months after this, and as the workmen were starving, they must have approached the management for getting their arrears of pay. But that would not mean that they gave up all the claims with full knowledge. I would therefore hold that Hanif is not estopped from claiming reinstatement or compensation.

32. *Kherati Meah.*—This brings me to the case of the last workman, Kherati Meah who was the father of Ali Hussain. The charge against him as mentioned in the charge-sheet Annexure 'A' served on him on 28th July 1951 was that his son Ali Hussain who had been arrested by the police in connection with the dacoity had been living with him all along and that it transpired that Ali Hussain took a very leading and active part in the dacoity and that the members of the gang who were responsible for some dacoities in the neighbouring areas also used to meet at Kherati Meah's place where the plans for commission of the offences were hatched. The charge-sheet further mentioned that Kherati Meah was one of the oldest employees of the colliery and by failing to bring to the notice of the management any information regarding the plan for commission of the dacoity, he was guilty of gross dereliction of duty and proved himself to be totally unworthy of great trust and confidence they had in him as an old employee. Kherati failed to give a reply to this charge-sheet and a reminder was sent to him on 1st August 1951. Even then, he did not give any reply and thereupon on 2nd August 1951 the management wrote to him a letter saying that as he did not care to reply to the charge sheet, he was dismissed from service.



33. In this case also, the charge sheet was served in English, though Kherati Meah was illiterate. There is however, no allegation that Kherati requested the management to serve the charge-sheet in Hindi or explain it to him. No enquiry appears to have been held by the management after the charge-sheet was served on Kherati. It has been said in the charge-sheet that it transpired that Kherati Meah's son Ali Hussain was taking a very active and leading part in the dacoity and the members of the gang of dacoits used to meet at Kherati's place where plans for commission of the offences were being hatched. The management have not mentioned either in the charge-sheet or in the written statement before this Tribunal or in evidence as to how they had learnt these facts. As I said above, the Tribunal is not sitting in appeal over the findings of the management but at the same time, it has got to be satisfied that there was some evidence before the management from which it was possible for them to come to a particular finding. In the present case, however, I am not satisfied that there was any evidence before the management from which they could have held that the dacoits used to meet at Kherati Meah's house and to hatch their plans about the dacoity at his place, or that Kherati Meah knew about all this. To my mind, the management have suspected Kherati Meah of having previous knowledge about the dacoity from the mere fact that his son Ali Hussain was arrested by the police in connection with the dacoity. They appear to have assumed from this (arrest of Ali Hussain) not only that Ali Hussain was concerned in the dacoity but also that his father must be knowing about it before the dacoity was committed. In my opinion, such an assumption is not justified. It would amount to visiting the father with consequences for the acts of the son. This is against the principle of natural justice. It is quite possible that Kherati Meah may not be aware of the misdeeds of his son. It is even possible that Ali Hussain may not be concerned in the dacoity and the action of the police in arresting him may not be proper. As it is, Ali Hussain was acquitted and that means that there must have been no evidence against him from which he could be convicted. But assuming that Ali Hussain was concerned in the dacoity, it does not necessarily mean that Kherati Meah knew about it or that the dacoits used to meet at Kherati Meah's house. In my opinion, this is a case of there being no evidence but mere suspicion and the finding of the management must therefore be held to be perverse. That being so, the dismissal of Kherati Meah would also not be proper.

34. My attention was drawn to the endorsement made by the Officer-in-Charge of the Jharla Police Station below the letter written by the management to the Regional Labour Commissioner on 8th August 1951 wherein the Police Sub Inspector said that in his opinion it was not desirable to retain Kherati Meah, Achhut Mahato and Hanif in the colliery job. In giving this opinion, the Police Officer had observed that obviously he (Ali Hussain) had previous knowledge of the dacoity and of the house and very probably he had gathered this information through the chaprasis who were his close relations. This would mean that Police Sub Inspector was also guided by mere suspicion and inferences. In my opinion, merely because one of the persons connected with the dacoity happened to be the son of Kherati Meah it would not necessarily mean that Kherati Meah must have previous knowledge about the dacoity.

35. Kherati Meah has also passed a writing similar to the one passed by Hanif Mian and for reasons discussed above, I hold that the writing does not estop him from claiming reinstatement or damages for wrongful dismissal.

36. The result is that in my opinion, out of the four dismissed workmen, the dismissal of Sifayat Mian was proper, while the dismissals of the other three, namely Kherati Mian, Achhut Mahato and Hanif Mian were not proper. The question then is whether these three persons should be ordered to be reinstated or whether they should be awarded compensation and if so, what. Ordinarily when it is held that the dismissal of a workman is not proper, he should be ordered to be reinstated. In the present case, however, I think that so far as Achhut Mahato and Hanif Mian are concerned, it would not be desirable that they should be ordered to be reinstated and in their case, an order of compensation would be the proper relief; while so far as Kherati Mian is concerned, he must be reinstated.

37. Kherati Mian was working as a peon, while Achhut Mahato and Hanif were working as Night Guards. Kherati Mian has put in a service of about 35 years and there is no allegation that prior to this, he had done anything improper. Actually the charge sheet served on him mentioned that the management had great trust and confidence in him as he was an old employee. So far as he is concerned, I think that he deserves reinstatement.

38. Hanif and Achhut, as I said above, were working as night guards and were in service for about 9 years and 6½ years respectively. The night guard has responsible duties. He must be a person, in whom the employer should have full

confidence. If a guard is negligent in his duties or if he is so minded, much mischief may be played by him either deliberately or as a result of negligence. It cannot be gainsaid that the management have lost confidence in these two night guards. Rightly or wrongly, they have suspected that these persons helped the dacoits. If they are reinstated and if anything untoward happens, the management are bound to feel that these people have deliberately done a particular thing, or allowed a particular thing to be done. These workmen are also bound to feel embarrassed in serving as night watchmen, because even if they do their duties conscientiously, they would never be sure that the management would have confidence in them. Looking to the fact that the management have lost confidence in these workmen and looking further to the fact that their duties are duties of confidence and also looking to the strained relations between the management and these workmen, I think that it would not conduce to good or happy relations between the management and the workmen if these persons are ordered to be reinstated. Looking at it objectively from a general view point and not from the individual view point of the workmen or the management, I am of opinion that it would not be desirable to order reinstatement of these two workmen but that they should be awarded compensation for wrongful dismissal.

39. The question then is what amount of compensation should be awarded to these two persons. As I said above, they have put in a service of 9 years and 6½ years respectively. So far as Hanif Mian is concerned, he has been admittedly paid by the management all arrears of pay, bonus etc. and he has also been paid notice pay for one month. After considering all the facts and the length of service put in by him, I am of opinion that he should be paid compensation equal to 9 months salary with the usual quarterly bonus for this period. So far as Achhut is concerned, I would order that he should be paid compensation equal to 6 months salary with bonus for the period and he should also be paid in addition, notice pay for one month if he has not been paid it.

In the result, Kherati Meah is ordered to be reinstated i.e., to be put back in the same position as if he had never been discharged or dismissed, together with all the back pay, allowances and other privileges, within a month of publication of this award. Achhut Mahato is ordered to be paid compensation equal to 6 months salary plus bonus for the period and he should also be paid notice pay for one month and arrears of pay if he has not been paid it. Hanif Mian should be paid compensation equal to 9 months pay with bonus for the period. Pay should include dearness allowance in both cases. These payments should be made within a month of the publication of this award. So far as Safiyat Mian is concerned his dismissal is proper and he is not entitled either to reinstatement or to compensation. I would pass my award accordingly.

Dated the 30th April, 1953.

(Sd.) L. P. DAVE, *Chairman.*

Central Government's Industrial Tribunal, Dhanbad.

[No. LR.2(360).]

P. S. EASWARAN, *Under Secy.*

#### *New Delhi, the 12th May 1953*

S.R.O. 914.—In pursuance of paragraph 3 of the Employees' Provident Funds Scheme, 1952, published with the notification of the Government of India in the Ministry of Labour No. S.R.O. 1509, dated the 2nd September, 1952, the Central Government hereby nominates Shri P. N. Segal, Deputy Secretary to the Government of India, Ministry of Finance (Rehabilitation Division), New Delhi, as a member of the Central Board of Trustees of the Employees' Provident Fund constituted by the notification of the Government of India, in the Ministry of Labour No. S.R.O. 1861, dated the 31st October, 1952, *vice* Shri N. V. Venkatraman, resigned.

[No. P.F.516(3).]

TEJA SINGH SAHNI, *Under Secy.*

#### ORDER

*New Delhi, the 6th May 1953*

S.R.O. 915.—WHEREAS the Central Government is of opinion that an industrial dispute exists between the workmen of the Mosaboni Mines and their management, the Indian Copper Corporation Limited, in respect of the matters specified in the schedule hereto annexed;

AND WHEREAS the Central Government considers it desirable to refer the dispute for adjudication;

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, (XIV of 1947), the Central Government hereby refers the said disputes for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7 of the said Act.

#### SCHEDULE

1. Profit sharing bonus for 1951 and subsequent years.
2. Medical attendance at the residence of the employees.
3. Reinstatement of the following workmen with compensation for the intervening period of unemployment:—

- (a) Shri S. Rafiuddin.
- (b) Shri Brahma Damal.
- (c) Shri Dhanbir Sonar.
- (d) Shri Noor Muhammad.
- (e) Shri Padam Bahadur Sonar.
- (f) Shri Feku Singh.
- (g) Shri Rahman Thapa.
- (h) Shri Krishna Bahadur Noor.
- (i) Shri Raman Nair.
- (j) Shri M. Pushpanathan.
- (k) Shri Krista Chandra Pati.
- (l) Shri Sk. Bhadrul Hossain.
- (m) Shri Gopi Nath Saloo.
- (n) Shri Sk. Nasur.
- (o) Shri Birinchi Narayan Mishra.
- (p) Shri S. S. Patnalk.
- (q) Shri Damodar Tripathi.
- (r) Shri P. Parasuram.

4. (1) Revision of existing wage structure for all workers and raising the minimum rate of an underground unskilled worker to Rs. 2 per day and scheme for fitting the employees within the revised wage structure in terms of their length of service.

5. Alleged victimization of the following workmen:—

- (a) Shri S. C. Nandi.
- (b) Shri S. P. Das.
- (c) Shri G. P. Banerjee.
- (d) Shri H. K. Das.
- (e) Shri N. Ghosh.
- (f) Shri B. Lohar.
- (g) Shri Kali Charan Patnalk.
- (h) Shri Rajani K. Das.
- (i) Shri Lakhindar Patnalk.
- (j) Shri Govinda.
- (k) Shri Bibhuti K. Khawas

(l) Shri Khirandhar Pandey

(m) Shri Francis.

(n) Shri N. N. Naik.

(o) Shri A. Rahman.

6. Whether the existing school should be raised to the status of a high school with the medium of instruction as Hindi and English only.

7. Whether office boys of the underground time offices should be designated as carbide distributors and their rates of pay adjusted accordingly.

[No. LR 2(379)]

S. V. JOSHI, Dy. Secy.